

1 (Your Name) _____
2 (Address) _____

3 (Telephone) _____
4 (Email Address) _____

5 Self-Represented Plaintiff

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

9 _____
10 (Plaintiff's Name),
11 v.
12 _____
13 (Defendant's Name)

CASE NO.: _____
DEPT NO.: _____

ANSWER AND COUNTERCLAIM FOR
DIVORCE

14
15 COMES NOW, Defendant, (*your name*), _____, in Proper
16 Person and hereby files his/her Answer and Counterclaim to Plaintiff's Complaint for Divorce as
17 follows:

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

23 2. Defendant denies the allegations contained in paragraph(s) (*write the paragraph number(s) from*
24 *the Complaint that you do not agree with*) _____
25 _____
26 _____ of the
27 Complaint.
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1 3. After reasonable investigation, this Defendant is without sufficient information to form a belief
2 as to the truth or falsity of the matters alleged in paragraph(s) (*write the paragraph number(s) that*
3 *you do not know to be true or false because you do not have enough information*) _____

4 _____ of the Complaint; the allegations
5 are therefore denied with proof demanded at trial.
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7 **COUNTERCLAIM**

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

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10 4. That Plaintiff or Defendant, for more than six (6) weeks immediately before the filing of this
11 action, has/have been and continues to be an actual, bona fide resident of Nye County,
12 Nevada and that Plaintiff or Defendant has been actually physically present and domiciled in
13 Nevada for more than six (6) weeks prior to the filing of this action.
14 5. That Plaintiff and Defendant were married on the (*date*) _____ in the city
15 of _____, State of _____ and have since remained
16 husband and wife.
17 6. That the wife in this case (*check one*) is/ is not currently pregnant.

18 **I. Child Information**

- 19 7. That Plaintiff and Defendant have (*number*) _____ minor children in common who are
20 either biological or adopted.
21 8. The minor children's names, dates of birth, states and lengths of residence are as follows:

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

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9. **Child(ren) Residency** (*check one*):

- The Plaintiff and Defendant do not have minor children in common.
- The child(ren) are residents of Nevada and have lived here for at least the past six (6) months and, as such, this Court has the necessary UCCJEA jurisdiction to enter orders regarding custody.
- The child(ren) are not residents of Nevada and have not lived here for at least the past six (6) months and, as such, this Court does NOT have the necessary UCCJEA jurisdiction to enter orders regarding custody.

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

- The Plaintiff and Defendant do not have minor children in common.
- The child(ren) are not residents of the State of Nevada.
- The Plaintiff and Defendant should be granted joint legal custody of the minor children.
- The Plaintiff should be granted sole legal custody of the minor children.
- The Defendant should be granted sole legal custody of the minor children.

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

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

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

- The Plaintiff and Defendant do not have minor children in common.
- The child(ren) are not residents of Nevada.

- The Petitioners should be granted joint physical custody of the minor children with a timeshare as outlined in Exhibit 1.
- The Plaintiff should be awarded primary physical custody of the minor children with the Defendant having visitation as proposed in Exhibit 1.
- The Defendant should be awarded primary physical custody of the minor children with the Plaintiff having visitation as proposed in Exhibit 1.

12. Holiday Visitation (*check one*):

- The Plaintiff and Defendant do not have minor children in common.
- The child(ren) are not residents of Nevada.
- A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should take precedence when in conflict with the regular visitation schedule.
- A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should NOT take precedence when in conflict with the regular visitation schedule.

13. Health Insurance (*check one*):

- The Plaintiff and Defendant do not have minor children in common.
- The Plaintiff should maintain medical and dental insurance for the minor child(ren), if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- The Defendant should maintain medical and dental insurance for the minor child(ren), if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- The Plaintiff and Defendant should both maintain medical and dental insurance for the minor child(ren) if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.

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14. Unreimbursed Medical Expenses (*check one*):

30/30 Rule: Any parent incurring an out-of-pocket medical expense relating to the minor child will provide to the other parent a copy of all paperwork relating to that expense within thirty (30) days of incurring said expense, along with a request for contribution for one-half (½) of the out-of-pocket expense actually incurred. Upon receipt of a request for contribution for one-half (½) of an out-of-pocket expense incurred by a parent on behalf of the minor child, the other parent will reimburse the requesting parent in the amount requested within thirty (30) days of receipt of said request for contribution. Upon receipt of reimbursement from any insurance carrier by either parent, and if the other parent previously paid a portion of the payment 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.

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- The Plaintiff and Defendant do not have minor children in common.
 - 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.

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15. 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**)*

- The Plaintiff and Defendant do not have minor children in common.
- 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.

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

- The Plaintiff and Defendant do not have minor children in common.
- The statutory minimum of \$100 per month, per child.
- The calculation for a primary physical custody arrangement as shown on the attached Worksheet A.

1 permission of this Court to amend this Complaint to insert this information when it becomes
2 known to Plaintiff or at the time of trial. (*check one*)

- 3 There is no community property to be divided.
4 The community property should be divided as follows:

5 Plaintiff shall receive as sole and separate property:

- 6 1. _____
7 2. _____
8 3. _____
9 4. _____

10 Defendant shall receive as sole and separate property:

- 11 1. _____
12 2. _____
13 3. _____
14 4. _____

15 20. **Division of Debts:** There may be additional community assets of the parties, the exact
16 amounts and descriptions of which are presently unknown to Plaintiff. Plaintiff asks
17 permission of this Court to amend this Complaint to insert this information when it becomes
18 known to Plaintiff or at the time of trial. (*check one*)

- 19 There are no community debts to be divided.
20 The community debts should be divided as follows:
21 Plaintiff shall receive as sole and separate debts:

- 22 1. _____
23 2. _____
24 3. _____
25 4. _____

26 Defendant shall receive as sole and separate debts:

- 27 1. _____
28 2. _____

3. _____

4. _____

21. **Reason for Divorce:** *(check one)*

- The husband and wife have become so incompatible in marriage that there is no possibility of reconciliation.
- The husband and wife have lived separate and apart for more than one year and there is no possibility of reconciliation.

22. **Spousal Support** *(check one):*

- Neither party should be awarded spousal support.
- Spousal support should be awarded to *(check one)* the Plaintiff the Defendant in the amount of \$ _____ dollars per month for *(number)* _____ *(check one)* months years. The spousal support shall begin on *(date)* _____ and end on *(date)* _____.

23. **Name Change for Wife** *(check one):*

- The wife does not wish to return to her former or maiden name restored.
- The wife should have her former or maiden name of _____ restored to her.
- The wife never changed her name.

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

- 2 1. That the marriage existing between Plaintiff and Defendant be dissolved and that Plaintiff be
3 granted an absolute Decree of Divorce and that each of the parties be restored to the status of
4 a single, unmarried person;
- 5 2. That the Court grant the relief requested in this Complaint; and
- 6 3. For such other relief as the Court finds to be just and proper.

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

9 Submitted By: _____
10 (*your signature*)

11 _____
12 (*print your name*)

13 **VERIFICATION**

14 STATE OF NEVADA)
15) ss:
16 COUNTY OF NYE)

17 (*Your name*) _____ being first duly sworn
18 under penalties of perjury, deposes and says:

19 That I am the Defendant in the above-entitled action; that I have read the foregoing Answer and
20 Counterclaim for Divorce and know the contents thereof; that the same is true of my own knowledge,
21 except for those matters therein contained stated upon information and belief, and as to those matters,
22 I believe them to be true.

23 Submitted By: ► _____
24 (*your signature*)

25 _____
26 (*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

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

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<input type="checkbox"/>	Thanksgiving Day	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"/>	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