

FIFTH JUDICIAL DISTRICT COURT
COMPLAINT FOR DIVORCE
WITHOUT MINOR CHILDREN INSTRUCTIONS

Step 1: Can I file for Divorce in Nevada?

A. Have you or your spouse lived in Nevada for the past 6 weeks?

- If “NO”, then usually you cannot file for divorce in Nevada.

B. Are you and your spouse incompatible or have you lived separate and apart for at least one year?

- If “NO”, then usually you cannot file for divorce in Nevada.

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

Affidavit of Service

Complaint

Financial Disclosure Form

Joint Preliminary Injunction (optional)

Summons

Family Court Cover Sheet

Step 3: Prepare your Forms. All Self-Help forms are in a fill-in-the-blank format. 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.

Complaint

Financial Disclosure Form

Joint Preliminary Injunction (optional)

Summons

Family Court Cover Sheet

B. Notarize the Complaint – The Complaint must be signed in front of a notary.

C. Mail or hand-deliver:

- **ORIGINAL** Complaint for Divorce
- **ORIGINAL** Family Court Cover Sheet

- **ORIGINAL** Joint Preliminary Injunction (optional)
- **ORIGINAL** Summons
- **ORIGINAL** Financial Disclosure Form
- Two (2) copies of all the documents and a self addressed stamped 9 x 12 inch envelope.
- The required fee in either cash, in-state check, or certified funds to the Clerk at:

NYE COUNTY

Pahrump Office: **Nye County District Court Clerk**
1520 E. Basin Ave.
Pahrump, NV 89060

Tonopah Office: **Nye County District Court Clerk**
101 Radar Rd.
P.O. Box 1031
Tonopah, NV 89049

ESMERALDA COUNTY

Esmeralda County Clerk Office
P.O. Box 547
Goldfield, NV 89013

Step 4: 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 file copies of the:
- Complaint
 - 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. File the Affidavit of Service and make a copy of the filed form for your records.

Step 5: Now what do I do?

- A.** Wait 21 days to see if the Defendant responds by filing an answer and/or counterclaim.
- B.** If the Defendant files an answer, he or she may request a hearing be set. If the Defendant fails to request a hearing be set, you are free to request a hearing before the court. (See *Answer to Complaint for Divorce Packet* for Request for Hearing and Order Setting Hearing forms) If the Defendant files a counterclaim, you have 20 days to respond with a reply. (See *Reply to Counterclaim Packet*)
- 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 the Decree for Divorce. (See *Summary Disposition for Divorce Packet*)

Note: If you make a mistake on the forms, you will receive instructions from the judge's law clerk on how to fix them (you may have to re-file amended forms).