

**JOINT PETITION
FOR
SEPARATE
MAINTENANCE**

**WITHOUT
MINOR CHILDREN**

D – 15

The District Court Filing Office
is located on the first floor at
75 Court Street
Reno, NV 89501

ATTENTION

**THIS PACKET IS NOT A SUBSTITUTE FOR THE
ADVICE OF AN ATTORNEY**

IMPORTANT

If either party is in the military, special rules may apply and it is recommended you seek the advice of an attorney.

Counsel Is Always Recommended For Legal Matters

The law allows any person to represent himself or herself in a legal action. However, filing papers with the court and representing yourself in the courtroom can involve complicated legal issues. This packet does not address all the legal issues involved in bringing your matter before the court. This packet is created to help you access the legal system 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 laws and rules are set out in the Nevada Revised Statutes, The Rules of Civil Procedure, and the local rules governing the jurisdiction in which you are filing your documents.

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet including the definitions of terms.

THIS INFORMATION IS PROVIDED AS A COURTESY ONLY. THE COURT, SELF-HELP CENTER, NON-PROFIT ORGANIZATION, OR LAW LIBRARY THAT MAY PROVIDE THIS INFORMATION SHALL NOT BE LIABLE FOR ERRORS CONTAINED HEREIN OR FOR DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH THE FURNISHING OF THIS MATERIAL.

JOINT PETITION FOR SEPARATE MAINTENANCE
WITHOUT MINOR CHILDREN

PACKET D-15

GENERAL INFORMATION

Included in this packet are the following documents:

1. A Civil Cover Sheet
2. A Family Court Information Sheet
3. A Joint Petition for Separate Maintenance
4. A Declaration of Resident Witness
5. A Joint Request for Submission
6. A Decree of Separate Maintenance

The penalty for making a false statement in a declaration that is made under penalty of perjury is a minimum of 1 year and a maximum of 4 years in prison, with the possibility of an additional fine of \$5000 or more if authorized or required by statute. See N.R.S. §199.145

INSTRUCTIONS FOR FILLING OUT FORMS

CAREFULLY READ THROUGH ALL OF THE INSTRUCTIONS BEFORE STARTING TO FILL OUT ANY OF THE FORMS.

Use black ink only to fill out the forms and neatly print the information requested.

Do not use Wite-Out or other correction fluid/tape on the forms. They will not be accepted by the court if correction tape/fluid is used.

The Civil Cover Sheet

Starting at the top, leave the Case No. blank. When you file the documents with the filing clerk, a case number will be assigned.

Fill in the name, address and telephone number of one of the Petitioners in the space for Plaintiff. Fill in the name, address and telephone number of the other Petitioner in the space for Defendant.

Check the box next to **Legal Separation - LS** under heading of “Marriage Dissolution Case” on the left-side of the form.

You must sign and date the document at the bottom of the page.

The Family Court Information Sheet

Fill in one Petitioner’s name in the space provided for Plaintiff/Petitioner. Fill in the other Petitioner’s name in the space provided for Defendant/Respondent. Leave the spaces for Case No. and Dept. No. blank. You will be assigned a case number and department number when you file your documents with the filing clerk.

Fill in your names, Social Security numbers, and date of birth where indicated in the body of the form.

If you or the other party do not have a Social Security number, print “do not have” on the line for the number.

Filling in the Joint Petition

Fill in both Petitioners' names, addresses and telephone numbers in spaces provided at the top left corner of the front page.

Fill in one Petitioner's name in the space provided for Plaintiff/Petitioner. Fill in the other Petitioner's name in the space provided for Defendant/Respondent. Leave the spaces for Case No. and Dept. No. blank. You will be assigned a case number and department number when you file your documents with the filing clerk.

Fill in the rest of the Joint Petition. Follow the directions printed on the Joint Petition carefully. If the information is not complete, the court cannot grant the separation.

Be sure you are familiar with the terms and the definitions regarding property and include all retirement accounts. If there are vehicles, include the VIN numbers on the vehicles. Include the last four numbers of any charge accounts that are being divided.

The Declaration of Resident Witness

One of the Petitioners must have a friend, relative or co-worker who is a resident of the State of Nevada fill in the information on the Declaration.

In the upper left corner, fill in the name, address and telephone number of the Petitioner who is going to have the witness make a declaration as to his or her residency.

Fill in the heading just as it appears on your other documents.

Do not fill in any other part of the Declaration. The Declaration must be filled in by the person who is going to declare one of you has been in the state of Nevada for at least six (6) weeks prior to filing any of the documents. It must then be signed by the Resident Witness. YOU CANNOT BE YOUR OWN RESIDENT WITNESS.

The Joint Request For Submission

Fill in both Petitioners' names, addresses and telephone numbers at the top left corner of the page. Fill in one Petitioner's name in the space provided for Plaintiff/Petitioner. Fill in the other Petitioner's name in the space provided for Defendant/Respondent. Leave the spaces for Case No. and Dept. No. blank. You will be assigned a case number and department number when you file your documents with the filing clerk.

Complete the form. This form must be signed by both Petitioners.

The Decree of Separate Maintenance

Fill in both Petitioners' names, addresses and telephone numbers at the top left corner of the page.

Fill in one Petitioner's name in the space provided for Plaintiff/Petitioner. Fill in the other Petitioner's name in the space provided for Defendant/Respondent. Leave the spaces for Case No. and Dept. No. blank. You will be assigned a case number and department number when you file your documents with the filing clerk.

Complete the form. Do not fill in the date on the last page. The judge will fill in the date at the time he/she signs the Decree.

Copying And Filing The Documents

Make two (2) copies of all documents. Take the original and the two (2) copies to the Filing Clerk's office, which is located on the first floor of the courthouse at 75 Court Street, Reno, NV. There are no facilities for making copies at the filing clerk's office. The filing clerks, if they have time, may make your copies, but they must charge you \$1.00 *per page* for any copies made.

Be sure to include self-addressed, stamped envelopes so a copy of the Decree can be mailed to you after it is signed.

There may be a filing fee payable when you file the documents. Contact the Filing Clerk's office at (775) 328-3110 to confirm the amount of the fee.

FILING FEE WAIVERS

If you cannot afford the filing fee, you may apply to have your filing fee waived. To apply, you must fill out and file the application found in the **F6** or **F6JP** fee waiver packet.

The **F6** and **F6JP** fee waiver packets may be obtained in the following locations:

- Family Court Self Help Center, 1 South Sierra Street, Reno, NV
- Filing Clerk's Office, 75 Court Street, Reno, NV
- www.washoecourts.com

The filing clerk will take the original and the copies of the documents and assign them a case number and department number and then file them in. The clerk will keep the original of all the documents except the Decree and return the file-stamped copies to you. The clerk will keep the original and the copies of the Decree to forward to the judge for review and signature.

IMPORTANT
BEFORE
YOU START

READ ALL INSTRUCTIONS
CAREFULLY

DO NOT use Wite-Out®

or other correction fluid/tape on the documents.
The Filing Office will not accept documents with
Wite-Out® or other correction fluid/tape on them.

USE Black Ink

PRINT all information neatly

CIVIL (FAMILY-RELATED) COVER SHEET

Washoe County, Nevada

Case No. _____
(Assigned by Clerk's Office)

I. Party Information (provide both home and mailing addresses if different)

Plaintiff/Petitioner (name/address/phone): _____

Date of Birth (DOB): _____
Attorney (name/address/phone): _____

Defendant/Respondent/Co-Petitioner (name/address/phone): _____

Date of Birth (DOB): _____
Attorney (name/address/phone): _____

II. Nature of Controversy (Place X in applicable bold category and another in applicable subcategory, if available)

Family-Related Cases

Domestic Relations

Guardianship

- Marriage Dissolution Case**
 - Annulment - AN
 - Divorce – With children - DC
 - Divorce – Without children - DO
 - Foreign Decree - FD
 - Joint Petition – With children - JC
 - Joint Petition – Without children - JN
 - Separate Maintenance – LS
- Support/Custody/Visitation – CU**
- UIFSA Case (formerly URESA) – UF**
- Adoptions**
 - Adult - AA
 - Minor – AM
- Paternity - PY**
- Termination of Parental Rights**
 - State - TS
 - Private – TV
- Miscellaneous Domestic Relations**
 - Name Change – Minor - NM
 - Permission to Marry - MM
 - Other Family – OF

- Guardianship of an Adult - GA**
- Guardianship of a Minor - GB**
- Guardianship Trust - OG**

Other Family-Related Case Filing Types

- Mental Health – IC**
- Request for Temporary Protective Order**
 - Children - TC
 - No Children - TP
- Miscellaneous Juvenile**
 - Emancipation - EM

Children involved in this case:

Name: _____
Name: _____
Name: _____

Date of Birth (DOB): _____
Date of Birth (DOB): _____
Date of Birth (DOB): _____

Date

Signature of Preparer

For Clark and Washoe Counties, please use their family court cover sheet for family-related case filings. Please see the Family Court Clerk in those counties for copies of their forms.

1 IN THE FAMILY DIVISION
2 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
3 IN AND FOR THE COUNTY OF WASHOE

3 **CONFIDENTIAL**
4 **FAMILY COURT INFORMATION SHEET**

4 _____,
5 Plaintiff/Petitioner,

5 vs.

6 _____,
7 Defendant/Respondent.

Case No. _____

Dept. No. _____

8 Name: _____

9 Social Security #: _____

10 Date of Birth: _____

Name: _____

Social Security #: _____

Date of Birth: _____

11 **IF THIS CASE INVOLVES CHILDREN, PLEASE COMPLETE THE FOLLOWING:**

12 Residential Address: _____

Residential Address: _____

13 Mailing Address: _____

Mailing Address: _____

14 City, State, Zip: _____

City, State, Zip: _____

15 Telephone #: _____

Telephone #: _____

16 Are you employed? YES [] NO []

Are you employed? YES [] NO []

17 Name of Employer: _____

Name of Employer: _____

18 Business Address: _____

Business Address: _____

19 City, State, Zip: _____

City, State, Zip: _____

20 Telephone #: _____

Telephone #: _____

21 Driver's License #: _____

Driver's License #: _____

22 Date of Birth: _____

Date of Birth: _____

23 Ethnicity: [] White (Not Hispanic)

Ethnicity: [] White (Not Hispanic)

[] African-American [] Hispanic

[] African-American [] Hispanic

[] Asian or Pacific Islander

[] Asian or Pacific Islander

[] Native American/Alaskan Native [] Other

[] Native American/Alaskan Native [] Other

24 **CHILDREN INVOLVED IN THIS CASE**

25 Name: _____ SSN: _____ DOB: _____

26 If there are more than five children, list their names on a separate sheet of paper and attach.

27 Does this case involve family violence: [] Yes [] No

28 Are you requesting Child Support Enforcement Services
from the District Attorney's Office (IV-D) Services? [] Yes [] No

Court Personnel Only: [] Custodial Parent [] Non-Custodial Parent

This document contains the social security number of a person as required by NRS 123.130, NRS 125, 230, and NRS 125B.055

1 Code: _____
2 Wife's Name: _____
3 Address: _____
4 Telephone No. _____
5 Husband's Name: _____
6 Address: _____
7 Telephone No. _____
8 Appearing in Proper Person

9 IN THE FAMILY DIVISION
10 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
11 IN AND FOR THE COUNTY OF WASHOE

12 In the Matter of the Marriage
13 of Case No. _____
14 _____ Dept. No. _____
15 and Wife Joint Petitioner,
16 _____
17 Husband Joint Petitioner.

18 **JOINT PETITION FOR SEPARATE MAINTENANCE - NO CHILDREN**
19 **(Also known as Legal Separation)**

20 Petitioners, (Wife's name) _____, in proper
21 person, and (Husband's name) _____, in proper person,
22 hereby petition this Court, pursuant to the terms of Chapter 125 of the Nevada Revised Statutes, to
23 grant them a Decree of Separate Maintenance. Petitioners respectfully show, and declare to the
24 Court, that every condition of NRS 125.181 has been met, and further state as follows:

25 I.

26 Petitioners were married on _____ in _____,
27 (Date of Marriage) (County of Marriage)

1 State of _____, and ever since that day have been, and still are, husband and wife.
2 (State of Marriage)

3 II.

4 The resident Petitioner, _____, is now, and for more than
5 (Name of the resident petitioner)
6 six weeks before the filing of this action has been, an actual resident of the State of Nevada, and
7 during all of this period of time has been actually, physically present in and living in the State of
8 Nevada, and intends to continue to make the State of Nevada his or her home for an indefinite
9 period of time.

10 The current addresses of the Petitioners are:

11 Wife's Name: _____

12 Wife's Mailing Address: _____

13 Wife's Residence Address: _____

14
15 Husband's Name: _____

16 Husband's Mailing Address: _____

17 Husband's Residence Address: _____

18
19 III.

20 Petitioners have become, and continue to be, incompatible in marriage and no reconciliation
21 is possible.

22 IV.

23 There are no minor children born to or adopted through this union and Wife is not pregnant
24 at this time with a child of the marriage.

25 //
26 //
27 //
28 //

V.

Division of Assets
Both parties must initial ONLY ONE of the three paragraphs below.
Print "N/A" in the spaces you do not use.

_____ Husband _____ Wife All of the community assets and property have been previously divided and each is to keep the property he or she has in his or her possession at this time.

_____ Husband _____ Wife There is no community property to be divided.

_____ Husband _____ Wife The community property should be divided as follows:

WIFE SHALL RECEIVE THE FOLLOWING ASSETS

HUSBAND SHALL RECEIVE THE FOLLOWING ASSETS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

each _____ for a period of _____
(Week or Month) (Number of weeks, months or years)

The spousal support shall begin on _____
(Date spousal support to begin)

and end on _____
(Date last spousal support payment will be made)

VIII.

Former Name
*Initial **ONLY ONE** of the following paragraphs
and print "N/A" in the spaces not filled in.*

Husband Wife Wife does not wish to return to her former name..

Husband Wife Wife wishes to return to her former name of _____
_____.

Husband Wife Wife never changed her name and, therefore, does not request
restoration of her former name.

IX.

Petitioners hereby request that this Court enter a Decree of Separate Maintenance, also known as a Decree of Legal Separation, incorporating into that Decree the provisions made herein.

X.

It is further understood and agreed by the Petitioners that a final Decree of Separate Maintenance constitutes a final adjudication of the rights and obligations of the parties with respect to the legal status of the community only, and the respective Petitioners' rights to (1) a written notice of entry of decree; (2) a request for Findings of Fact and Conclusions of Law; (3) and to move for a new trial. A Decree of Separate Maintenance, also known as a Decree of Legal Separation, entered by this summary procedure does not prejudice or prevent the rights of either Petitioner to bring an action to set aside the final decree for fraud, duress, accident, mistake or the grounds recognized at law or in equity.

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

WHEREFORE, Petitioners pray as follows:

1. That the parties be granted a Decree of Separate Maintenance, also known as a Decree of Legal Separation, thereby judicially bringing to a conclusion the community aspects of the marriage and the legal responsibilities of one party to and for the other for all purposes heretofore existing between the parties except as set forth in this Joint Petition.

2. That the terms agreed upon in this Joint Petition be included in the Decree.

This document does not contain the Social Security Number of any Person.

We declare, under penalty of perjury under the law of then State of Nevada, that the foregoing is true and correct.

DATE: _____
Date signed by Wife

DATE: _____
Date signed by Husband

Wife's Signature

Husband's Signature

Code: 1521

Your name: _____

Address: _____

Telephone: _____

Appearing in Proper Person

IN THE FAMILY DIVISION
OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

_____, Case No. _____
Plaintiff / Petitioner / Joint Petitioner

Dept. No. _____

vs.

Defendant / Respondent / Joint Petitioner

_____ /

DECLARATION OF RESIDENT WITNESS

I, _____, do hereby declare under penalty of perjury
(Name of Resident Witness)

that the assertions of this Declaration are true.

1. I am over the age of eighteen and competent to testify of my own knowledge to the following.

2. I have lived in the State of Nevada for _____ years and presently live at

_____, City of _____, State of Nevada.
(Street address of Resident Witness)

I intend to live in the State of Nevada for the foreseeable future.

3. To my personal knowledge, _____, lives at
(Name of person whose residency is being established)

_____, State of Nevada and has
(Street address of person whose residency is being established)

1 lived at that address since _____ and has been physically living within the State of
2 (Date)

3 Nevada on a daily basis for at least six (6) weeks prior to the filing of this Complaint -or- Petition
4 -or- Joint Petition on _____.
5 (Date Complaint/Petition/Joint Petition was filed)

6 4. To my personal knowledge, _____ has
7 (Name of person whose residency is being established)
8 physically lived in the State of Nevada since _____.
9 (State the date you know the person has lived in Nevada)

10 5. I see the Petitioner on the average of _____ times a week. The Petitioner is
11 (State how often you actually see the person in a week.)

12 _____
13 (Fill in how you know the Petitioner, such as friend, relative, co-worker, etc.)

14 6. I know of my own personal knowledge that _____
15 (Name of person whose residency is being established)
16 is a bona fide resident of the State of Nevada.

17 Dated this _____ day of _____, 20____.

18 This document does not contain the Social Security Number of any person.

19 I declare under penalty of perjury, under the law of the State of Nevada, that the foregoing
20 statements are true and correct.*

21 Dated this _____ day of _____, 20____.

22 Signature: _____

23 Printed Name: _____

24 Address: _____

25 _____
26 Telephone: _____

27 * The penalty for making a false statement in a declaration that is made under penalty of perjury is a minimum of
28 1 year and a maximum of 4 years in prison, with the possibility of an additional fine of \$5000 or more if authorized or
required by statute. See N.R.S. §199.145.

1 Code: **1540**

2

3

4

5

6

IN THE FAMILY DIVISION

7

OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8

IN AND FOR THE COUNTY OF WASHOE

9

10 In the Matter of the Marriage

Case No. _____

11

of

Dept. No. _____

12

Wife Joint Petitioner,

13

and

14

Husband Joint Petitioner.

15

16

DECREE OF SEPARATE MAINTENANCE - NO CHILDREN
(Also known as Decree of Legal Separation)

17

18 The above-entitled cause, having been submitted to this Court for decision pursuant to
19 Chapter 125 of the Nevada Revised Statutes, and based upon the Joint Petition by Joint Petitioner,

20 _____, and Joint Petitioner _____,

(Wife's Name)

(Husband's Name)

21

and all of the papers and pleadings on file, the Court finds as follows:

22

1. That all of the allegations contained in the documents on file are true.

23

2. That all of the requirements of NRS 125.181 and NRS 125.182 have been met.

24

3. That this Court has complete jurisdiction to enter this Decree and the orders

25

regarding the distribution of assets and debts.

26

4. That resident Petitioner _____, has been and is

(Wife's or Husband's Name)

27

now, an actual bona fide resident of the State of Nevada, has actually been domiciled in the State of

28

Nevada for more than six (6) weeks immediately prior to the commencement of this action, and

1 intends to continue to make the State of Nevada his/her home for an indefinite period of time.

2 5. That the Petitioners were married on _____
3 (Date of marriage)

4 in the County of _____, State of _____,
5 (County of marriage) (State of marriage)
6 and ever since that date have been and still are Husband and Wife.

7 6. That Petitioners have become, and continue to be, incompatible in marriage and
8 reconciliation is not possible.

9 7. That the Wife is not pregnant with a child of the marriage at this time.

10 8. That the Petitioners have entered into an agreement settling all issues regarding the
11 division and distribution of assets and debts, said agreement being an equitable one, and Petitioners
12 have requested that their agreement in the Joint Petition be ratified, confirmed, and incorporated
13 into this Decree as though fully set forth herein.

14 9. That the Petitioners have entered into an agreement settling the issue of spousal
15 support and request that their agreement as set forth in the Joint Petition be ratified, confirmed, and
16 incorporated into this Decree as though fully set forth herein.

17 ***Initial only ONE space in Paragraph 10 and print "N/A" in the other spaces.***

18 10. _____ Wife does not wish to return to her former name.

19 _____ Wife wishes to return to her former name of _____
20 _____.

21 _____ Wife never changed her name so does not request restoration of a former
22 name.

23 11. That the parties waive their rights to a written Notice of Entry of Decree of Separate
24 Maintenance, also known as a Decree of Legal Separation, to appeal, to Findings of Fact and
25 Conclusions of Law, and to move for a new trial.

26 **THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

27 1. That the Parties are hereby granted a Final Decree of Separate Maintenance, also
28 known as a Decree of Legal Separation, one from another on the grounds of incompatibility and this
Decree hereby brings to a conclusion the community aspects of this marriage and the legal

1 responsibilities of one party to the and for the other for all purposes heretofore existing between the
2 parties except as set forth in their Petition.

3 2. That their agreement, as it is stated in the Joint Petition, regarding the division and
4 distribution of assets and debts, is hereby ratified, confirmed, and incorporated into this Decree as
5 though fully set forth.

6 3. That the agreement, as it is stated in the Joint Petition, regarding the issue of spousal
7 support is hereby ratified, confirmed and incorporated into this Decree as though fully set forth.

8 ***Initial only ONE space in Paragraph 4. Print "N/A" in the other spaces.***

9
10 4. _____ Wife shall retain her present name.
11 _____ Wife is hereby restored to her former name of _____
12 _____.
13 _____ Wife never changed her name so does not request restoration of her
14 former name.

15 **THIS IS A FINAL DECREE**

16 DATED this _____ day of _____, 20_____.

17
18 _____
19 **DISTRICT JUDGE**

20
21
22 Respectfully submitted:

23 _____ Wife's Signature	_____
24 _____ Print Your Name	_____
25 _____ Address	_____
26 _____ City, State, Zip	_____

	Husband's Signature

	Print Your Name

	Address

	City, State, Zip
