

## JOINT PETITION FOR DIVORCE CHECKLIST

The petition and/or proposed decree must include the following provisions:

- JURISDICTIONAL REQUIREMENTS** *NRS 125.181(1), 125.020*  
Nevada residency of one party for 6 weeks prior to filing (same party as in Affidavit of Resident Witness).
- CAUSES FOR DIVORCE** *NRS 125.181(2), 125.182(1)(b)*  
Parties are incompatible OR parties have lived separate & apart for one year without cohabitation.
- EXISTENCE OF MINOR CHILDREN** *NRS 125.181(3), 125.182(2)(c)*  
 If there are/are not minor children either adopted or the issue of the parties. [if child(ren), name(s) and date(s) of birth)], and  
 If the wife is/is not pregnant (if pregnant, due date and statement as to paternity).
- IF CHILDREN:**
  - Determination of legal and physical custody. *NRS 125.181(3)*
  - Visitation rights described with sufficient particularity ("Reasonable visitation" is insufficient). *NRS 125C.010*
  - Dollar amount of monthly child support. *NRS 125B.070*
  - Child support in accordance with statute OR grounds for variation from statute AND what dollar amount of support would be under the formula. *NRS 125B.080*
  - Statement regarding withholding of wages. *NRS 125.450(2), NRS Chapter 31A*
  - Child support review available "every three years". *NRS 125B.145, 125.230*
  - Party responsible for maintaining medical insurance and provisions for uncovered expenses. *NRS 125B.080(7)*
  - Language from NRS 125C.200 regarding removal of the child from the state.
  - NRS 125.510(6) MANDATORY LANGUAGE completely stated as in the statute.
  - Statement that the Hague Convention shall apply in certain circumstances. *NRS 125.510(7)*
  - Statement that Nevada, or the state in which the child resides within the U.S., is the habitual residence of the child. *NRS 125C.010*
- Child Custody Agreement, if any, attached (to Joint Petition) and incorporated by reference (in both). *NRS 123.270*
- EXISTENCE OF COMMUNITY PROPERTY/DEBT** *NRS 125.181(4)*
  - If there is/is not community property.
    - If yes, division of community property.
  - If there is/is not community debt.
    - If yes, division of community debt.
  - Settlement agreement executed and acknowledged. *NRS 123.270*
  - Property settlement agreement, if any, attached (to Joint Petition) and incorporated by reference (in both petition and decree).
- SPOUSAL SUPPORT** *NRS 125.181*
  - Both parties have waived OR executed an agreement setting the amount & manner of support.
- WAIVER OF RIGHTS** *NRS 125.181(6); 125.182(1)*
  - Waiver of written notice of entry of the Decree of Divorce;
  - Waiver of appeal;
  - Waiver of request of findings of fact and conclusions of law; and
  - Waiver of right to move for a new trial.
- MISCELLANEOUS**
  - Statement that every condition set forth in NRS 125.181 has been met. *NRS 125.182(1)*
  - Statement that the parties expressly desire the court to enter a Decree of Divorce. *NRS 125.181(7)*
  - Date and place of marriage. *NRS 125.182(2)(a)*
  - Statement regarding wife's maiden name. *NRS 125.182(2)(d)*
  - Order changing wife's name if desired. *125.130(4)*
  - Mailing address of both parties. *NRS 125.182(2)(b)*
  - Joint Petition signed under oath by both parties, notarized and verified. *NRS 125.182(1), 125.020(1)*

**OTHER DOCUMENTS REQUIRED:** In addition to your file stamped courtesy copy of the joint petition and proposed decree, you must also submit file stamped courtesy copies of the following for summary disposition (an X indicates the copy was missing or defective):

- If children, Proof of attendance at Court Education Program or Court Ordered Waiver (Visitation cannot be modified unless petitioning party has completed COPE). EDCR 5.07
- If children, Child Support and Welfare Identification Form (including Social Security Numbers) for both parties. *NRS 125B.055(3)* \* Should include residential and mailing addresses, telephone number, Driver's license #, and contact info of employer, if any.
- Affidavit of Resident Witness: Separately filed document, of 3rd party attesting to seeing petitioner physically present in Nevada 6 weeks prior to filing, how often and since what date. *NRS 125.182(3), 125.123*. EDCR 5.09
- If no children, Social Security Numbers for both parties on separate form or pleading. *NRS 125.130*