

READ THIS BEFORE COMPLETING THE FORMS!!!

INSTRUCTIONS FOR PETITION TO PERMIT REMOVAL OF CHILDREN FROM THE STATE OF NEVADA

WARNING!!! YOU SHOULD CONSULT AN ATTORNEY BEFORE USING THESE FORMS. THESE FORMS DO NOT CONTAIN ANY LEGAL ADVICE.

ALL DOCUMENTS FILED BY PERSONS WITHOUT AN ATTORNEY MUST BE NOTARIZED. YOUR DOCUMENTS WILL NOT BE ACCEPTED BY THE COURT IF THEY ARE NOT NOTARIZED.

WHAT YOU MUST DO:

1. You must complete the enclosed form which applies to your situation.
2. You must call the judicial secretary for Department 1 at 753-4601 to set a hearing on this matter before you file and serve the documents.
3. You must sign the documents in all places before a notary public and the notary must complete the notary section in this document.
4. You must make three copies of the document.
5. You must serve a copy of the documents you have completed on the opposing party by mailing a copy of the document to him/her. You must also the Instructions for the Opposition to Motion and the blank Opposition to Motion to Enforce Order on the opposing party.
6. You must file the documents with the Clerk of the Court located in the Third Floor, Courthouse Annex Building, at 571 Idaho, Elko, Nevada 89801.
7. You must appear at the date and time specified in the Notice of Hearing which you obtain from the Judicial Secretary to protect your rights. If you fail to appear, the Judge could rule against you.

IF YOU DO NOT COMPLETE EACH OF THE ABOVE STEPS, YOUR MOTION OR OPPOSITION CANNOT BE ACCEPTED BY THE COURT FOR CONSIDERATION.

HOW TO USE THESE FORMS:

Page 1: “Petition for Order Permitting Removal of Children from the State of Nevada”

- Line 1: Insert your case number which can be found on your original order.
- Line 9: Insert the name of the plaintiff as it appears on your original order.
- Line 12: Insert the name of the defendant as it appears on your original order.
- Line 15: Insert your name and check the box indicating whether you are the plaintiff or the defendant in the original order.
- Line 16: Check the box indicating whether the opposing person is the plaintiff or the defendant in the original order.
- Line 20: Insert the date you sign the Petition
- Lines 22 - 25: DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY. Sign your name before a notary public. Print your name, address and telephone number where indicated and check the box to indicate whether you are the plaintiff or defendant in the original order.

Page 2: “Memorandum of Points and Authorities”

- Line 2: Insert your name.
- Line 5: Insert all the reasons that the move is in the best interests of the child(ren). You may attach a separate page if necessary.

Page 3: “Conclusion”

Line 2: Insert your Name

Page 3: “Notice of Hearing”

You must telephone the judicial secretary for Department 1 at 753-4601 and obtain a hearing date on your motion.

Lines 5 - 6: Insert the date and time of the hearing.

Line 9: Insert the date you sign the Petition

Lines 11 - 14: DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY. Sign you name before a notary public. Print you name, address and telephone number where indicated and check the box to indicate whether you are the plaintiff or defendant in the original order.

Page 3: “Certificate of Service”

The Certificate of Service provides proof to the court that you mailed a copy of your motion to the opposing party.

Line 16: Check whether you are the plaintiff or defendant.

Page 4: “Certificate of Service” Continued

Line 1- 4: Insert the name and address of the opposing party.

Line 5: Insert the date you sign the document before a notary.

Line 7: DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY. Sign your name.

Line 9 - 16: Is to be completed by the notary you sign the motion before. If your signature is not notarized, your documents cannot be accepted by the court for consideration.

1 CASE NO. _____

2 DEPT. NO. _____

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IN THE FOURTH JUDICIAL DISTRICT COURT

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OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

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_____ ,

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PLAINTIFF,

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V.

**PETITION FOR ORDER PERMITTING
REMOVAL OF CHILDREN FROM THE
STATE OF NEVADA; NOTICE OF
HEARING**

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_____ ,

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DEFENDANT.

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_____/

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COMES NOW _____, Plaintiff Defendant and petitions this

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Court for an Order allowing Plaintiff Defendant to remove the minor child(ren) from the

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State of Nevada. This petition is based upon the memorandum of points and authorities attached

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hereto. This petition is further based upon the pleadings and papers on file with the Court and on

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such other and further documentary evidence which may be presented at the hearing on this matter.

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DATED this _____ day of _____, 200 ____.

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Name: _____

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Address: _____

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Phone No.: _____

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Plaintiff Defendant

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CONCLUSION

Based upon the foregoing, _____ (name of moving party) requests this Court permit the removal of the minor child(ren) from the State of Nevada.

NOTICE OF HEARING

PLEASE TAKE NOTICE that a hearing on this Petition will be held on the _____ day of _____, 200____, at _____. IF YOU DO NOT APPEAR, THE COURT COULD RULE AGAINST YOU.

Respectfully submitted.

DATED this _____ day of _____, 200 ____.

Name: _____

Address: _____

Phone No.: _____

Plaintiff Defendant

CERTIFICATE OF SERVICE

I hereby certify that I am the Plaintiff Defendant in the above-entitled matter, and that on this date, pursuant to NRCP 5(b), I deposited in the United States mail at Elko, Nevada, a true and correct copy of the PETITION TO ALLOW REMOVAL OF CHILD FROM THE STATE OF NEVADA AND NOTICE OF HEARING, addressed to:

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READ THIS BEFORE COMPLETING THE FORMS!!!

**INSTRUCTIONS FOR OPPOSITION TO
PETITION FOR AN ORDER PERMITTING THE
REMOVAL OF THE CHILDREN
FROM THE STATE OF NEVADA**

WARNING!!! YOU SHOULD CONSULT AN ATTORNEY BEFORE USING THESE FORMS. THESE FORMS DO NOT CONTAIN ANY LEGAL ADVICE.

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WHAT YOU MUST DO:

1. You must complete the enclosed form which applies to your situation.
2. You must sign the documents in all places before a notary public and the notary must complete the notary section in this document.
3. You must make three copies of the document.
4. You must serve a copy of the documents you have completed on the opposing party by mailing a copy to him/her.
5. You must file the documents with the Clerk of the Court located in the Third Floor, Courthouse Annex Building, at 571 Idaho, Elko, Nevada 89801.
6. Please note that the Petition contains a Notice of Hearing. You must appear at the date and time specified to protect your rights or the Judge could rule against you.

IF YOU DO NOT COMPLETE EACH OF THE ABOVE STEPS, YOUR MOTION OR OPPOSITION CANNOT BE ACCEPTED BY THE COURT FOR CONSIDERATION.

HOW TO USE THESE FORMS:

Page 1, "Opposition to Petition"

- Line 1: Insert your case number which can be found on your original order.
- Line 9: Insert the name of the plaintiff as it appears on your original order.
- Line 12: Insert the name of the defendant as it appears on your original order.
- Line 15: Insert your name and check the box indicating whether you are the Plaintiff or Defendant.
- Line 21: Insert the date you sign the Opposition.
- Lines 23 - 26: DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY. Sign your name before a notary public. Print your name, address and telephone number where indicated and check the box to indicate whether you are the plaintiff or defendant in the original order.

Page 2, "Memorandum of Points and Authorities"

- Line 2: Insert your name.
- Line 5: Explain all the reasons why the removal of the children from the state is not in their best interest. Please attach a separate sheet if necessary.

Page 2, "Conclusion"

- Line 18: Insert your name

Lines 23-26: DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY. Sign your name before a notary public. Print your name, address and telephone number where indicated and check the box to indicate whether you are the plaintiff or defendant in the original order.

Page 3 "Certificate of Service"

The Certificate of Service provides proof to the court that you mailed a copy of your motion to the opposing party.

Line 2: Check whether you are the plaintiff or defendant.

Line 7-9: Insert the name and address of the opposing party.

Line 10: Insert the date you sign the document before a notary.

Line 12: DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY. Sign your name.

Lines 13 - 20: are to be completed by the notary you sign the motion before. If your signature is not notarized, your documents cannot be accepted by the court for consideration.

YOU SHOULD CONSULT WITH AN ATTORNEY BEFORE COMPLETING THESE FORMS.

1 CASE NO. _____

2 DEPT. NO. _____

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IN THE FOURTH JUDICIAL DISTRICT COURT

7

OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

8

9

_____ ,

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PLAINTIFF,

11

V.

**OPPOSITION TO PETITION FOR ORDER
PERMITTING REMOVAL OF
CHILDREN FROM THE STATE OF
NEVADA**

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_____ ,

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DEFENDANT.

14

_____/

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COMES NOW _____, Plaintiff Defendant and opposes the

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Petition for an Order allowing Plaintiff Defendant and to remove the minor child(ren)

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from the State of Nevada. This opposition is based upon the memorandum of points and authorities

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attached hereto. This opposition is further based upon the pleadings and papers on file with the

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Court and on such other and further documentary evidence which may be presented at the hearing

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on this matter.

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DATED this _____ day of _____, 200__.

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Name: _____

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Address: _____

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Phone No.: _____

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Plaintiff Defendant

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MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to NRS 125A.350, _____ (name of responding party) opposes the petition for an order allowing the removal of the minor child(ren) from the State of Nevada. This move is not in the best interest of the minor child(ren) because (list all reasons moving the child from the state is in the best interest of the children): _____

CONCLUSION

Based upon the foregoing, _____ (name of responding party) requests this Court not permit the removal of the minor child(ren) from the State of Nevada.

Respectfully submitted.

DATED this _____ day of _____, 200__.

Name: _____

Address: _____

Phone No.: _____

Plaintiff Defendant

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CERTIFICATE OF SERVICE

I hereby certify that I am the Plaintiff Defendant in the above-entitled matter, and that on this date, pursuant to NRCP 5(b), I deposited in the United States mail at Elko, Nevada, a true and correct copy of the OPPOSITION TO PETITION FOR ORDER ALLOWING REMOVAL OF CHILDREN FROM THE STATE OF NEVADA, addressed to:

NAME AND ADDRESS OF OPPOSING PARTY

DATED this _____ day of _____, 200__.

Name: _____

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

On this _____ day of _____, 200__, personally appeared before me, the undersigned, a Notary Public in and for said County and State, _____ known to me to be the person described in and who executed the above and foregoing Opposition to Petition for Order Allowing Removal of Children from the State of Nevada acknowledged to me that _____ executed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year above-written.

Notary Public