

ANSWER

IMPORTANT

**THIS PACKET IS IN NO WAY INTENDED TO SUBSTITUTE FOR THE
ADVICE OF A PRIVATE ATTORNEY**

Private Counsel Is Always Recommended For Legal Matters

The law allows any person to represent themselves in a legal action. However, filing an action with the Court and representing yourself in the courtroom can be a complicated legal procedure and this packet does not attempt to 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 regarding custody, visitation, child support and definitions of terms.

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GENERAL INFORMATION ABOUT FILING AN ANSWER

The forms must be typewritten or legibly handwritten in black ink.

There will be a filing fee to file this document with the Court. The fee may change from time to time, and it is recommended that you contact the Court Clerk's office to check on the current fee prior to presenting the documents for filing.

If you are indigent and cannot afford the filing fee, you may request the fee be waived by filing the packet entitled **Request for Waiver of Fees and Costs**. The Court will examine your financial status and determine whether a full or partial waiver can be granted, or if the request will be denied.

There are facilities for copying your documents at the Court Clerk's office at the charge of **\$.025 per page**. Therefore, it is recommended that you make any copies of the documents you may want, or need, prior to going to the Court Clerk's office. You will need **two** copies of each document to be filed unless told otherwise. If exhibits are attached to the original document, a copy of the exhibits must be attached to each copy.

Location of the Court Clerk's Office

The Court Clerk's Office for **Churchill County** is located at 73 N. Maine Street, Suite B, Fallon, NV, 89406, on the second floor. The phone number is (775) 423-6088.

If you are mailing the documents to the Court Clerk's office for filing, OR if you have submitted an Order of Decree for the Judge to sign, **it is strongly suggested that you provide a self-addressed, stamped envelope when you file your documents. A copy of the file-stamped documents will then be mailed to you.**

FILLING OUT THE DOCUMENTS

1. **For All Documents:** Fill in the spaces on lines 9 through 13, **exactly** as they appear in your other documents. This is the "heading" of the document and it is always the same. If you are the Plaintiff in the original document, you will remain the Plaintiff; if you are listed as the Defendant in the original document, you will remain the Defendant. The Case No. and Dept. No. are always the same.
2. **IMPORTANT NOTE:** This form provides you with the basic form to protect your interests in the legal matter, so long as it is filed within the time frame of twenty (20) days after you have been served with the Complaint and Summons, or a Petition and Summons, or an Answer and Counterclaim. If you do not file within that time period, the other party may take a "default" against you and be awarded all they ask for in their pleadings.

3. **This form does not make provisions for you to file a counterclaim with your answer. To file a counterclaim, use the Answer and Counterclaim supplemental packet.**
4. **Be aware** that additional motions that may have been filed with the Complaint or Petition and served on you with that document are not answered through this form. If you have been served with additional motions, you must answer those motions on other forms. If you do not formally answer those motions, the other party may submit those motions and may be granted all they request. If you have questions regarding motions that have been served on you, immediately seek counsel with a private attorney.
5. The Answer: Carefully review the Complaint or Counterclaim. Make a note on the side as you review of all paragraphs with which are **agree**. Also note all paragraphs with which you **disagree**. Make sure the **whole paragraph is correct when you decide to agree with it**. If you agree only with one part of the paragraph and disagree with another, you must **disagree with the whole paragraph**.
6. Enter the numbers of the paragraphs with which you agree under Section I. Enter the number of the paragraphs with which you disagree under Section II. Enter the number of the paragraphs, if any, which require no answer or that you do not understand under Section III.
7. Complete the Counterclaim (if applicable) as to the allegations you wish to bring against the other party.
8. **This document must be signed in the presence of a Notary Public.**
9. The Certificate of Service: The opposing party must be personally served with a copy of the documents. Service may be made by mail or be personal service. After the documents have been completed, place an “X” on the appropriate line indicating the method of service. The Certificate is to be filled out and signed by the person who actually mails or personally serves a copy of the documents on the other party or their attorney.
10. Once the documents are completed, make two copies of each. Serve **one copy** as noted in the Certificate of Services. If there are multiple parties, make enough copies for yourself and each party. Take the original **and one copy** to the Court Clerk to be filed. The copy will be returned to you and your file.’
11. **REMINDER: If other motions have been served on you, you must answer those motions with other responsive documents.**

If you need guidance in filling out the forms or in the procedure of the case, seek the advice of a private attorney.

NOTE: YOU MAY NOT USE THESE FORMS IF YOU ARE PRESENTLY REPRESENTED BY AN ATTORNEY IN THIS MATTER.

If you are requesting that the Court waive the filing fee, the filing procedure is different than above. Complete the **Request for Waiver of Fees and Costs** packet and following those directions.