# FINANCIAL DECLARATION

# **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 A FINANCIAL DECLARATION

### The forms must be typewritten or <u>legibly</u> handwritten in black ink.

There is no fee to file this document, so long as you have paid you fee with the initial filing of your documents.

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. The Financial Declaration: Used when requested in an action for divorce, custody, child support or alimony. This form focuses on your employment and income. Although you may fill in the general information regarding the other party in this matter, the questions refer only to **your own income**, **expenses and living arrangements**. Please remember, the figures are based on your **monthly** income and expenses. Those items which you pay only every few months should be averaged as to their monthly cost. For instance, if you pay your car insurance every six months, add the two six month payments and divide by twelve for a monthly cost.
- 3. On page 4, you are requested to list **community** assets and debts. If you do not know the approximate value of such things, such as a vehicle or a house, state "unknown." Do not guess as to values of major property. It is important to remember that the value of such things as furniture and clothes is not the replacement value or the original cost, but what one would pay for these items in a second hand store or thrift store.

- 4. You must attach your most recent pay stub to the Financial Declaration. You may also attach any documentation or lists of other expenses you want the Court to consider in your total financial status.
- 5. This document must be signed in the presence of a Notary Public.
- 6. If you have already filed a Financial Declaration in this matter, you do not have to file a second one.
- 7. 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 and "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.
- 8. Once the documents are completed, make two copies of each. Serve **one copy** as noted in the Certificate of Service. 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 for your file.
- 9. REMINDER: If a motion has been served on you, you must answer that motion 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.