

FIFTH JUDICIAL DISTRICT COURT  
**MOTION TO MODIFY CUSTODY, VISITATION AND/OR  
CHILD SUPPORT INSTRUCTIONS**

**Step 1: Can I file a Motion to Modify?**

A. Has the court already issued an order for custody, visitation, and/ or child support that you want to change?

- If “NO”, then a Motion to Modify may not be right for you.

B. Do you and the other parent agree on ALL the changes you want to make?

- If “YES”, then a Motion to Modify may not be right for you.

C. Has the child lived in Nevada for the past six (6) months?

- If “NO”, then a Motion to Modify may not be right for you.

**Step 2: Do I have all of the forms I need?**

One (1) file stamped copy of the Decree of Divorce that you wish to change  
Motion to Modify

Certificate of Mailing

Child Support Worksheet A & B

Financial Disclosure Form

UCCJEA Disclosure (if the child has lived in a state other than Nevada in the last five (5) years)

**Step 3: Prepare your Forms.** All Self-Help forms are in a fill-in-the-blank format. Do not leave any lines blank on the forms. If something does not apply to you write “N/A”.

**A. Fill out the following forms.**

Child Support Worksheet A or B

Financial Disclosure Form

UCCJEA Disclosure (if needed)

Motion to Modify

**B. Notarize the Motion to Modify** – The Motion to Modify must be signed in front of a notary.

**C. Mail or hand-deliver to the appropriate Clerk:**

- **ORIGINAL** Child Support Worksheet A or B
- **ORIGINAL** UCCJEA Disclosure (if needed)
- **ORIGINAL** Motion to Modify
- **ORIGINAL** Financial Disclosure Form
- Two (2) copies of all the documents and a self addressed stamped 9 x 12 inch envelope.

### **NYE COUNTY**

**Pahrump Office:**            **Nye County District Court Clerk**  
**1520 E. Basin Ave.**  
**Pahrump, NV 89060**

**Tonopah Office:**            **Nye County District Court Clerk**  
**101 Radar Rd.**  
**P.O. Box 1031**  
**Tonopah, NV 89049**

### **ESMERALDA COUNTY**

**Esmeralda County Clerk Office**  
**P.O. Box 547**  
**Goldfield, NV 89013**

### **Step 4: Have the other party served**

- A.** Serve the other party by mailing a copy of the four (4) different filed stamped forms returned to you by the Clerk via the U.S. Postal Service to the other parent.

- B.** Next, the person who mailed these documents to the other parent must fill out the Certificate of Mailing.
- C.** File the Certificate of Mailing and make a copy for your records.

**Step 5: Now what do I do?**

- A.** When you file the Motion to Modify, the Court will assign a hearing time and date.
- B.** The other party has 10 days to respond with an opposition and countermotion.  
Note: the countermotion is optional for the other party.
- C.** If the other party files a countermotion, you may file a reply to the countermotion within 10 days.

**Note:** If you make a mistake on the forms, you will receive instructions from the judge's law clerk on how to fix them (you may have to re-file amended forms).