

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).