ANSWER TO COMPLAINT FOR DIVORCE WITH COUNTERCLAIM INSTRUCTIONS

YOU MUST FILE AN ANSWER WITHIN TWENTY (20) DAYS OF SERVICE OF THE COMPLAINT AND SUMMONS TO AVOID BEING SUSCEPTIBLE TO DEFAULT

Step 1: Are you ready to file an Answer?

A. Were you served with a complaint for divorce?

- If "NO", then an Answer to a Complaint may not be appropriate for you.

B. Do you agree that the Divorce should be heard by a judge in either Nye, or Esmeralda County? (wherever the Divorce was filed)

- If "NO", then an Answer to a Complaint may not be appropriate for you.

C. Has a Default been filed against you in the Divorce proceedings?

- If "YES," we suggest you retain an attorney because the law and issues proceeding forward from this position in litigation are complicated and are not easily addressed by the Fifth Judicial District Self Help forms.

Step 2: Do I have all of the forms I need?
Answer with Counterclaim
Financial Disclosure Form
Certificate of Mailing
Joint Preliminary Injunction (optional)
Request for Hearing
Order Setting Hearing

Step 3: Prepare your Forms. All Fifth Judicial District 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.
Answer with Counterclaim
Financial Disclosure Form
Joint Preliminary Injunction (optional)

B. Notarize the Answer – The Answer must be signed in front of a notary.

C. Mail or hand-deliver:

- **ORIGINAL** Answer

- **ORIGINAL** Financial Disclosure Form

- **ORIGINAL** Joint Preliminary Injunction (optional)

- Two (2) copies of all the documents and a self addressed stamped 9 x 12 inch envelope.

- The required fee in either cash, in-state check, or certified funds to the appropriate Clerk at:

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 Plaintiff Served

A. Any document outside of the Complaint and Summons that is "served" must be mailed or delivered to the opposing party. A Complaint and Summons has more stringent rules.

B. There are several ways of serving the other party. This packet contains a "Certificate of Mailing." If the other party does not have an attorney, the documents should be mailed to the other party's last known address (the address you put in the Certificate of Mailing).

C. If the other party has an attorney, you can mail the documents to the attorney at the attorney's business address.

D. The clerk will return file stamped copies of the Answer, Financial Disclosure Form, and the Joint Preliminary Injunction (if applicable).Mail one file stamped copy of each document to the other party or the other party's attorney.

E. Fill out the Certificate of Mailing and send or hand-deliver the Certificate of Mailing to the Clerk to the address listed above for filing.

Step 5: Now what do I do?

The Plaintiff shall file a reply to your Counterclaim. After this, the Plaintiff may file a Request for Hearing. If you find that no request for hearing has been filed, you can fill out and file the Request for Hearing and the Order Setting Hearing. Please note, on the Order Setting Hearing, only fill in the portion next to "Submitted By:". The court will assign a date for the hearing and fill out the rest of the Order.

After a hearing date is set, attend the hearing and either discuss the issues or set a date for an evidentiary hearing. You may bring relevant documents to this hearing, but they are more suited for the evidentiary hearing. Even if you and the opposing party come to an agreement before the hearing date, attend the hearing and explain the situation to the District Court Judge.

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).