

FIFTH JUDICIAL DISTRICT COURT
REPLY TO ANSWER INSTRUCTIONS

Step 1: Are you ready to file Reply?

- A. Were you served with an Answer **and** Counterclaim?
 - If “NO”, then a Reply may not be appropriate for you.

- B. Has a Default been filed against you in the Divorce proceedings due to failure to Reply within twenty (20) days?
 - 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?

Reply to Answer and Counterclaim
Certificate of Mailing
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.

Reply to Answer and Counterclaim
Request for Hearing
Order Setting Hearing (**Note:** Only print and sign your name under the “Submitted by” designation. The Court will assign a date for the hearing and fill in the rest of the form.)

B. Mail or hand-deliver to the appropriate clerk:

- **ORIGINAL** Reply to Answer and Counterclaim
- **ORIGINAL** Request for Hearing
- **ORIGINAL** Order Setting Hearing

- 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 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 Reply to Answer and Counterclaim, Request for Hearing, and the Order for Hearing to you after filing. 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.

(Note: The Order for Hearing may arrive later than the rest of your documents as it requires approval and a signature from a District Court Judge. You may serve it separately than the other documents but you will have to fill out an additional Certificate of Mailing)

Step 5: Now what do I do?

When the Order Setting Hearing is returned from the clerk, a time for a hearing will be appointed. Attend the hearing to either discuss the matters or set an evidentiary hearing date. You may bring supporting documents to this hearing, but they are more suited for the evidentiary hearing phase of the proceedings. If you and the opposing party come to an agreement concerning the divorce, still 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).