

JOINT PETITION STATUTES

Nevada Revised Statutes

125.181-125.184

NRS 125.181 Summary Proceeding for divorce: Conditions.

A marriage may be dissolved by the summary procedure for divorce set forth in NRS 125.181 to 125.184, inclusive, when all of the following conditions exist at the time the proceeding is commenced:

1. Either party has met the jurisdictional requirements of NRS 125.020.
2. The husband and wife have lived separate and apart for 1 year without cohabitation or they are incompatible.
3. There are no minor children of the relationship of the parties born before or during the marriage or adopted by the parties during the marriage and the wife, to her knowledge, is not pregnant, or the parties have executed an agreement as to the custody of any children and setting forth the amount and manner of their support.
4. There is no community or joint property or the parties have executed an agreement setting forth the division of community property and the assumption of the liabilities of the community, if any, and have executed any deeds, certificates of title, bills of sale or other evidence of transfer necessary to effectuate the agreement.
5. The parties waive any rights to spousal support or the parties have executed an agreement setting forth the amount and manner of spousal support.
6. The parties waive their respective rights to a written notice of entry of the decree of divorce, to appeal, to request findings of fact and conclusions of law and to move for a new trial.
7. The parties desire that the court enter a decree of divorce.

NRS 125.182 Summary proceeding for divorce: Commencement of action; contents of petition; affidavit of corroboration of residency.

1. A summary proceeding for divorce may be commenced by filing in any district court a joint petition, signed under oath by both the husband and the wife, stating that as of the date of filing, every condition set forth in NRS 125.181 has been met and specifying the:
 - a. Facts which support the jurisdictional requirements of NRS 125.020; and
 - b. Grounds for the divorce.
2. The petition must also state:
 - a. The date and place of the marriage.
 - b. The mailing address of both the husband and the wife.
 - c. Whether there are minor children of the relationship of the parties born before or during the marriage or adopted by the parties during the marriage, or the wife, to her knowledge, is pregnant.
 - d. Whether the wife elects to have her maiden or former name restored and, if so, the name to be restored.

3. An affidavit of corroboration of residency which complies with the provisions of subsections 1, 2 and 4 of NRS 125.123 must accompany the petition. If there is a marital settlement agreement which the parties wish the court to approve or make a part of the decree, it must be identified and attached to the petition as an exhibit.

NRS 125.183 Summary proceeding for divorce: Termination of proceeding by revocation of petition.

1. At any time before the entry of final judgment, either party to the marriage may revoke the joint petition and thereby terminate the summary proceeding for divorce.
2. The revocation may be effected by filing a notice of revocation with the clerk of the court in which the proceeding was commenced.
3. The revoking party shall send a copy of the notice of revocation to the other party by first-class mail, postage prepaid, at his or her last known address.

NRS 125.184 Summary proceeding for divorce: Entry of final judgment.

1. Entry of the final judgment upon a petition for a summary proceeding for divorce constitutes a final adjudication of the rights and obligations of the parties with respect to the status of the marriage and the property rights of the parties and waives the respective rights of the parties to written notice of entry of the judgment or decree, to appeal, to request findings of fact and conclusions of law and to move for a new trial.
2. A final judgment entered pursuant to this section does not prejudice or bar the rights of either of the parties to institute an action to set aside the final judgment for fraud, duress, accident, mistake or other grounds recognized at law or in equity.