

MOTION TO QUASH BENCH WARRANT

EXPLANATION OF A MOTION TO QUASH BENCH WARRANT

A motion is a document that tells the Court the facts of your case and the law that applies to your case. It also tells the Court what you want the Court to do (i.e., you want the Court to end a bench warrant so that you won't be arrested).

YOU CAN USE THIS MOTION TO QUASH BENCH WARRANT IF:

- This Court has issued a bench warrant for your arrest;
- You want the Court to stop the warrant.

NOTE: You can use this packet to ask the Court to quash the bench warrant if your current order's case number starts with either a "D" (i.e., D111111) or an "R" (i.e., R22222).

NOTE: If your case number begins with an "R" and you have not filed anything in your case, you will have to pay an \$86.00 filing fee. The District Attorney's Office may file a Motion to Quash Bench Warrant for you. If the District Attorney files the motion, you will not have to pay a filing fee. You may want to contact your case worker at the District Attorney's Office to ask if they will file this motion for you.

INSTRUCTIONS FOR MOTION TO QUASH BENCH WARRANT

*** * * IMPORTANT DISCLOSURE * * ***

THIS INFORMATION IS PROVIDED AS A COURTESY ONLY. CLARK COUNTY, THE EIGHTH JUDICIAL DISTRICT COURT, THE SELF-HELP CENTER AND THEIR EMPLOYEES SHALL NOT BE LIABLE FOR ERRORS CONTAINED HEREIN OR FOR DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH THE FURNISHING OF THIS MATERIAL.

MANY FAMILY LAW MATTERS INVOLVE COMPLEX AND VALUABLE LEGAL RIGHTS. THESE FORMS AND INSTRUCTIONS ARE BASIC, GENERAL FORMS, AND MAY NOT FIT ALL SITUATIONS. SOME RIGHTS CANNOT BE ADEQUATELY PROTECTED WITHOUT THE ASSISTANCE OF AN ATTORNEY. YOU SHOULD CONSULT WITH AN ATTORNEY BEFORE YOU ATTEMPT TO USE SELF-HELP.

ALSO, IF YOU, THE OTHER PARTY, OR YOUR CHILDREN HAVE TIES TO A STATE OTHER THAN NEVADA (I.E., YOU RECENTLY MOVED HERE, YOU HAVE ORDERS FROM ANOTHER STATE, ETC.) YOU SHOULD CONSULT AN ATTORNEY BEFORE FILING ANY DOCUMENTS BECAUSE THE COURT MAY NOT HAVE JURISDICTION OVER YOU. HOWEVER, ONCE YOU FILE CERTAIN DOCUMENTS, THE COURT WILL HAVE JURISDICTION AND YOU WILL NOT BE ABLE TO CHANGE THAT.

* * * * *

I. EXPLANATION OF A MOTION TO QUASH BENCH WARRANT

- A. A motion is a document that tells the Court the facts of your case and the law that applies to your case. It also tells the Court what you want the Court to do (i.e., you want the Court to end a bench warrant so that you won't be arrested).
- B. You can use this Motion to Quash Bench Warrant if:

- This Court has issued a bench warrant for your arrest;
- You want the Court to stop the warrant.

NOTE: You can use this packet to ask the Court to quash the bench warrant if your current order's case number starts with either a "D" (i.e., D111111) or an "R" (i.e., R22222).

NOTE: If your case number begins with an "R" and you have not filed anything in your case, you will have to pay an \$86.00 filing fee. The District Attorney's Office may file a Motion to Quash Bench Warrant for you. If the District Attorney files the motion, you will not have to pay a filing fee. You may want to contact your case worker at the District Attorney's Office to ask if they will file this motion for you.

C. This package should contain the following documents:

- Instructions for Motion to Quash Bench Warrant;
- Motion to Quash Bench Warrant (with the Notice of Motion and the Affidavit in Support of Motion attached);
- Family Court Motion/Opposition Fee Information Sheet;
- Receipt of Copy;
- Certificate of Mailing;
- List of telephone numbers for the judges' staffs and Court Clerks;
- Court class information flier;
- Customer survey.

II. **STEP 1: PREPARE YOUR PAPERWORK**

NOTE: WHEN FILLING OUT ANY FORM, YOU MUST USE BLACK INK. PRINT CLEARLY. THE CLERK'S OFFICE WILL NOT FILE YOUR DOCUMENT IF THE HANDWRITING IS HARD TO READ.

A. THE CAPTION:

The "caption" is the portion of your document which assists the Court in identifying your particular case. It is the part of the page that has the word "Plaintiff" under a line and the word "Defendant" under another line. Generally, this caption will remain the same throughout the entire case and will be on every document filed in this action. In this package, the caption is on the: a) Notice of Motion and Motion to Quash Bench Warrant; b) Receipt of Copy; and c) Certificate of Mailing.

NOTE: If you were the Defendant/Respondent in the beginning of the case, then you will be the Defendant/Respondent throughout the case, even if you are the one who is filing this motion.

B. THE FAMILY COURT MOTION/OPPOSITION FEE INFORMATION SHEET:

NOTE: DO NOT COMPLETE THIS SHEET IF THE DISTRICT ATTORNEY'S OFFICE IS INVOLVED IN YOUR CASE.

1. Most motions that are made after an order has been given have a \$25.00 filing fee. However, there are a few exceptions to this rule. This sheet will tell the Clerk's Office whether or not you need to pay the filing fee.
2. Insert the name of the Plaintiff on the line above the words "Plaintiff/Petitioner" in the caption and insert the name of the Defendant on the line above the words "Defendant/Respondent" in the caption. You can determine who is the Plaintiff and who is the Defendant by looking at other documents that have been filed in your case.
3. Insert the case number on the line after the words "Case No." and the department letter after the words "Dept." You can find the case number and the department letter by looking at other

documents that have been filed in your case.

4. Check whether you are the Plaintiff or the Defendant.
5. Carefully read the section "Excluded Motion/Oppositions." If any of the reasons given in this section apply to this motion, check the box next to that reason. If none of the reasons in this section apply, you will need to pay the filing fee or ask the judge to waive the fee.
6. In the last rectangle, check the box that applies.
7. Date, print, and sign your name.

C. THE NOTICE OF MOTION (FIRST TWO PAGES OF THE MOTION):

1. The notice of motion tells the other party that you are asking the Court to quash the bench warrant. It also tells the other party when and where the hearing for your motion will take place.
2. Insert the name of the Plaintiff on the line above the words "Plaintiff/Petitioner" in the caption and insert the name of the Defendant on the line above the words "Defendant/Respondent" in the caption. You can determine who is the Plaintiff and who is the Defendant by looking at other documents that have been filed in your case.
3. Insert the case number on the line after the words "Case No." and the department letter after the words "Dept. No." You can find the case number and the department letter by looking at other documents that have been filed in your case.
4. Check the line after "Yes" under the words "Oral Argument Requested." In Clark County, almost all motions have a hearing where both parties get to tell the judge their side of the story before the judge makes a decision on your request.

5. If the District Attorney's Office **is not** involved in your case:
 - a. Write the name of the other party after the words "TO: Name of Opposing Party."
 - b. Write the name of the other party's attorney after the words "TO: Name of Attorney for Opposing Party (if applicable)."
6. If the District Attorney's Office **is** involved in your case, write "N/A" on the lines after "TO: Name of Opposing Party" and "TO: Name of Attorney for Opposing Party (if applicable)."
7. Leave the lines in the next paragraph blank. The Clerk's Office will fill in the blanks when you file the motion.
8. Insert the date on the line over the word "(date)." Type or print your name on the line over the words "(type or print name)." Sign your name on the line over the word "(Signature)."

D. THE REST OF THE MOTION AND THE AFFIDAVIT:

1. As stated above, a motion is a document that tells the Court the facts of your case and the law that applies to your case. It also tells the Court what you want the Court to do (i.e., you want the Court to stop a bench warrant). An affidavit is a written statement that is signed under Oath in front of a Notary. All motions must be accompanied by an affidavit from the party who files the motion.
2. The motion uses a fill-in-the-blank format. The form will tell you what information you need to put in the blank. If the motion tells you to check an item, check the item that applies (i.e., check either "Plaintiff" or "Defendant" if the Motion has "Plaintiff/Defendant").
3. Complete the Affidavit in Support of Motion to Modify Child Support which is attached to the back of the Motion. The affidavit uses a fill-in-the-blank format. The affidavit will tell you

what information you need to put in the blank. The Affidavit must be signed in front of a Notary Public. The Self-Help Center has a notary available. **Do not make any copies until the document is notarized.**

E. THE RECEIPT OF COPY AND THE CERTIFICATE OF MAILING:

NOTE: ONLY USE THESE FORMS IF THE DISTRICT ATTORNEY IS NOT INVOLVED IN YOUR CASE.

These forms are used to show the Court that the motion was served on the other party. Each form is used for a different way of completing service. You will need to decide which type of service is appropriate for your situation. **COMPLETE ONLY THE ONE FORM THAT FITS YOUR SITUATION.**

1. **The Receipt of Copy:**

- a. This document, also known as a "ROC," is used when the other party is given the papers in person. If the other side is represented by an attorney, an employee of the attorney can sign the ROC. The other party (or the attorney's office) will need to sign this document. If the other party (or the attorney's office) will not sign the ROC, you will need to serve the papers another way. (Please see No. 2, below)
- b. Insert your name, address, and phone number on the first page, upper left-hand corner.
- c. Insert the name of the Plaintiff on the line above the word "Plaintiff" in the caption and insert the name of the Defendant on the line above the word "Defendant" in the caption.
- d. Insert the case number on the line after the words "Case No." and the department letter on the line after the words "Dept. No." on your documents.
- e. The Receipt of Copy uses a fill-in-the-blank format and will tell you what information

you need to put in the blank.

- f. Whomever receives the documents will sign the ROC.

2. **The Certificate of Mailing:**

- a. This document is used when the documents are mailed to the opposing party.

Note: Although you may mail the motion to the other party yourself, it is much better to ask someone who is not related to you by blood or marriage and who is over 18 years old to mail it. This person is called a "third party."

- b. Insert your name, address, and phone number on the first page, upper left-hand corner.

- c. Insert the name of the Plaintiff on the line above the word "Plaintiff" in the caption and insert the name of the Defendant on the line above the word "Defendant" in the caption.

- d. Insert the case number on the line after the words "Case No." on your documents. Insert the department letter on the line after the words "Dept. No."

- e. The Certificate of Mailing uses a fill-in-the-blank format and will tell you (and the third party, if applicable) what information needs to be put into the blank. Whoever mails the document to the other party will need to sign the Certificate of Mailing before a Notary Public. The Self-Help Center has a notary available. **Do not make any copies until the document is notarized.**

III. STEP 2: FILE THE MOTION AND GET A HEARING DATE

- A. Make three copies of the Motion (with the Notice of Motion and your Affidavit).

- B. You need to use a two-hole punch on the top of the

original motion and filing fee sheet and also stamp or write "original" between the two holes. The Self-Help Center has a two-hole punch and a stamp that you can use.

- C. If the District Attorney's Office **is not** involved in your case, take the original and the copies of the motion to the "Master Calendar" window at the Clerk's Office (located on the first floor of the courthouse). Master Calendar will keep the original motion, stamp your copies and return them to you. These are called "file-stamped" copies. The clerk will also keep the filing fee sheet.
- D. If the District Attorney's Office **is** involved in your case, take the original motion, the copies of these documents, and the filing fee sheet to the "Child Support" window at the Clerk's Office (located on the first floor of the courthouse). The Clerk will keep the original documents, stamp your copies and return them to you. These are called "file-stamped" copies.

IV. STEP 3: SERVE THE DOCUMENTS ON THE OPPOSING PARTY

- A. As a general rule, you must give the other party a copy of any document that you file with the Court. If that party is represented by an attorney, you must give the documents to the attorney instead of the other party. The way of giving the documents to the other party (or the attorney) is called "service of process" or "service." For this packet, you must serve the Notice of Motion and Motion (with the Affidavit attached).
- B. There are several ways of serving a motion to the other party. This packet contains a Certificate of Mailing and a Receipt of Copy. (Please see Section II F, above, for more information)
1. If the District Attorney is involved in your case, you can "serve" that office by asking the clerk at the "Child Support" window to put a file-stamped copy of the Notice of Motion and Motion to Quash Bench Warrant in the District Attorney's box. If the paperwork is put into that box, you will not need to mail or personally deliver a copy of the document to the District

Attorney's Office. If the paperwork is not put into the box, you will need to follow the steps below.

2. If the other party (or the party's attorney or the District Attorney's Office) is willing to sign a Receipt of Copy you may deliver the documents yourself. If the other party (or the attorney) is not willing to sign a Receipt of Copy, you can mail the documents yourself but it is much better to have a third party do it for you. A third party is someone who is not related to you by blood or marriage and who is over 18 years old. Whomever mails the documents will need to complete the Certificate of Mailing (Please see II F, above).

Note: If you choose to use the ROC, you will need to take at least one copy and the original Receipt of Copy with you when you deliver the other documents. The other party (or the attorney or the attorney's employee) will sign the original ROC and return it to you. He/she will keep a copy of the ROC for their records.

V. STEP 4: FILE EITHER THE RECEIPT OF COPY OR THE CERTIFICATE OF MAILING

NOTE: YOU CAN SKIP THIS STEP IF THE DISTRICT ATTORNEY IS INVOLVED IN YOUR CASE AND THE CLERK'S OFFICE PUT A COPY OF YOUR MOTION INTO THE DISTRICT ATTORNEY'S BOX.

- A. If you used the Receipt of Copy, you will need to do the following:
 1. Make two copies of the ROC (after you've gotten the signature from the other party, the party's attorney, or the attorney's employee).
 2. Use a two-hole punch on the top of the original ROC and also stamp or write "original" on the original document in between the two holes. The Self-Help Center has a two-hole punch and a stamp that you can use.
 3. Go to the "Child Support" window at the Clerk's Office. The Clerk will file the original ROC and

will return the file-stamped copies to you.

B. If you used the Certificate of Mailing, you should do the following:

1. After the third party has mailed the documents to the other side (or that side's attorney), he/she should complete their portion of the Certificate of Mailing. Some businesses may file their own form and mail a file-stamped copy to you. Other process servers will return the original documents to you after their portion is completed and you will have to file the original document with the Court. You should ask the person or business that will serve your documents about their procedure.
2. If you have to file the original Certificate of Mailing, you will need to:
 - Make two copies of the Certificate of Mailing.
 - Use a two-hole punch on the top of the original Certificate of Mailing and also stamp or write "original" on the original document between the two holes. The Self-Help Center has a two-hole punch and a stamp that you can use.
 - Go to the "Child Support" window at the Clerk's Office. The Clerk will file the original Certificate of Mailing and will return the file-stamped copy to you.

VI. STEP 5: THE COURT'S REVIEW OF THE PAPERWORK (BEFORE THE DAY OF THE HEARING)

A. Sometimes there is not enough time for the Clerk's Office to get the paperwork into the court file before the judge wants to review it. Therefore, it is very important that you give the judge a copy of your paperwork as soon as possible. The copies that you give to the judge are called "courtesy copies."

B. You will need to give the judge a courtesy copy of the

following documents:

- One file-stamped copy of the Notice of Motion and Motion (including your Affidavit);
- If you filed a Certificate of Mailing or an ROC, you will need to give the judge one copy of that document.

Be sure that the case number and department letter are on all of the documents that you give to the judge to review.

- C. Next, take the elevator to the third floor of the courthouse. Go to the reception area by "chambers." You will see brown boxes against the wall. Each box is marked with a department letter. Put the judge's package into the box belonging to that department.

VII. STEP 6: SEE WHAT THE OTHER SIDE DOES

- A. After the other party has received your motion, he/she may choose to file a written response. This response is called an "Opposition." Additionally, the other side may ask the judge to give him/her something too. This request is called a "Countermotion." After the other side serves you with his/her Opposition (or Opposition and Countermotion), you can decide whether or not you want to file a written response. Your written response to an Opposition is called a "Reply." If the other side filed an Opposition and Countermotion, your response would be called a "Reply to Opposition and Opposition to Countermotion."

VIII. STEP 7: GO TO THE HEARING

- A. If this is your first time going to court, you may want to watch a hearing that is in front of your judge before the day of your hearing. This will help you to become more familiar with the process before you have to argue your case. You may also want to attend a free class taught by the Self-Help Center. The class discusses the rules of the courtroom and the procedures for motions. The class is held on the 2nd and 4th Wednesdays of each month at 5:00 p.m. at the

Self-Help Center. No registration is needed.

- B. All of the hearings before judges are videotaped. You may want to have a tape of your hearing so that you can review it later. You can buy a blank tape from the Transcript Video Services Office (on the second floor of the courthouse) for \$5.00. If the tape doesn't record and you bought the blank tape from the transcriber's office, they will copy one for you for free. If you brought your own tape, or if you do not have a tape before the hearing and then decide after the hearing that you want a copy the charge will be \$25.00 for a video tape or \$10.00 for a CD.
1. If you are going to have your tape of the hearing made at the time of the hearing, you will need to give the Bailiff your videotape when you check in. (See D, below)
- C. On the day of your hearing:
1. Be on time.
 2. Dress as if you are going to a job interview.
 3. Bring copies of your papers to court (in case either the judge or the other side does not have a copy of one of your documents).
 4. Bring the video tape (if you want a copy of the hearing made at the time of the hearing).
- D. When you go into the courtroom, tell the bailiff your name and that you are representing yourself. Give the bailiff your video tape (if applicable).
- E. After you have told the bailiff that you are there, sit in the seats behind the rail. Do not go in front of the rail until your case is called by the judge.
- F. When the judge first enters the courtroom, the bailiff will say "All rise." Stand up and keep standing until the judge or someone else from the Court tells you that you can sit down.
- G. When your case is called, you will go in front of the rail. There are two tables. One has a nameplate that

says "Plaintiff" and the other table has a nameplate that says "Defendant." Go to the table that applies to you.

- H. If you have watched previous cases, you will know whether or not you need to keep standing until the judge tells you to sit. If you do not know this information by the time that your case is called, you should stand until the judge tells you that it is okay to sit down.
- I. The judge will let you know when it is your turn to speak. In general, the person who filed the motion will speak first and then the party who is responding to the motion will have the opportunity to speak.
- J. Please keep in mind that the judge has already read the papers that you have filed.
- K. If the judge asks you a question, answer it politely and briefly.
- L. The judge will make orders (also known as "rulings") during your hearing. You will need to write down all of these orders. You may ask the judge to clarify his/her order, but you should not argue with the judge. If you disagree with a judge's decision, you should see a lawyer as soon as possible to discuss your options.
- M. The judge will usually tell one party to prepare a written order for the judge to sign. If the judge does not specify which party should prepare the written order, either party can do it. This order packet is available at the Self-Help Center or on the Center's Web site:
http://www.co.clark.nv.us/district_court/self_help_center.htm .

**CLARK COUNTY FAMILY LAW
SELF-HELP CENTER
SURVEY**

8/1/05

Please help us help you. If you complete this brief survey, we will be able to better determine your needs and how to serve you better.

Date _____ Zip Code _____

How many times have you visited the Center? First visit 2 3 4 5 or more

What is the general description of your legal actions: (Check all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Divorce without children | <input type="checkbox"/> Order for protection against domestic violence |
| <input type="checkbox"/> Annulment | <input type="checkbox"/> Guardianship of a child | <input type="checkbox"/> Paternity |
| <input type="checkbox"/> Child support | <input type="checkbox"/> Guardianship of an adult | <input type="checkbox"/> Visitation |
| <input type="checkbox"/> Custody | <input type="checkbox"/> Modification of child support | |
| <input type="checkbox"/> Divorce with children | <input type="checkbox"/> Name change | |
| <input type="checkbox"/> Other: _____ | | |

Are you starting or responding to a legal action?

- Starting Responding
 Other: _____

What services are you seeking from the Self-Help Center? (Check all that apply)

- | | | | |
|--|--|--|---|
| <input type="checkbox"/> Information about forms/procedures | <input type="checkbox"/> Information about other legal and community resources | <input type="checkbox"/> Listing of attorneys willing to accept family law cases | <input type="checkbox"/> Classes or clinics about family court procedures |
| <input type="checkbox"/> Assistance with completion of forms | | | <input type="checkbox"/> Notary services |
| <input type="checkbox"/> Other: _____ | | | |

How did you hear about the Self-Help Center? (Check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Judge, court employee, or court program | <input type="checkbox"/> Law Library | <input type="checkbox"/> Lawyer referral service |
| <input type="checkbox"/> Legal services provider | <input type="checkbox"/> Attorney | <input type="checkbox"/> Walk-in |
| <input type="checkbox"/> Social services provider | <input type="checkbox"/> District Attorney's Office | <input type="checkbox"/> Family member or friend |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Bar Association | <input type="checkbox"/> Website |

Are you aware that our forms are available on the internet? Yes No

Do you already have your documents? Yes No

If yes, where did you get your documents?

- | | | |
|---|--------------------------------------|--|
| <input type="checkbox"/> Self-Help Center Office | <input type="checkbox"/> Attorney | <input type="checkbox"/> Office supply store |
| <input type="checkbox"/> Self-Help Center Website | <input type="checkbox"/> Law Library | |
| <input type="checkbox"/> Other website | <input type="checkbox"/> Paralegal | |
| <input type="checkbox"/> Other: _____ | | |

Have you consulted an attorney regarding your case? Yes No

If no, why did you not hire an attorney? (Check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Cost | <input type="checkbox"/> Could not find an attorney who spoke my language |
| <input type="checkbox"/> Prefer to self-represent | <input type="checkbox"/> I do not know any attorneys |
| <input type="checkbox"/> Case refused by an attorney | |
| <input type="checkbox"/> Other: _____ | |

Have you consulted a paralegal regarding your case? Yes No

If no, why did you not hire a paralegal? (Check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Cost | <input type="checkbox"/> Could not find a paralegal who spoke my language | <input type="checkbox"/> I do not know any paralegals |
| <input type="checkbox"/> Case refused by a paralegal | | |
| <input type="checkbox"/> Other: _____ | | |

Please complete other side...

Please tell us a little about yourself...

Age Under 18 18 - 30 31 - 40 41 - 50 51 - 59 60 or older

Sex Male Female

Race: (Check the one that primarily applies)

- White American-Indian Asian
 African-American Hispanic
 Other: _____

What language is spoken in your home?

- English Spanish
 Other: _____

How many children under the age of 18 live in your home? 0 1 - 2 3 - 4 5 or more

Your gross monthly income is:

- Below \$500 \$1000 - \$1,999 \$3,000 - \$3,999 \$5,000 or more
 \$500 - \$999 \$2,000 - \$2,999 \$4,000 - \$4,999

Are you currently receiving public assistance? Yes No

If yes, what type of assistance are you receiving?

- SSI TANF Medicare Medicaid Food stamps
 Other: _____

What is your highest level of education?

- No high school High school graduate Post graduate work
 Some high school Some college
 GED certificate College graduate

Do you feel more able to represent yourself than before you visited the Self-Help Center? Yes No

Were you treated courteously at the Self-Help Center? Yes No

How would you evaluate the services offered by the Center?

	very helpful	Somewhat helpful	Not helpful	Did not use
Customer Assistance:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
References:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Forms Packets / Instructions:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notarizations / Typewriters:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children's Area:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please tell us how we can improve our services or any other comments. _____

Thank You for Your Feedback!

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NOTC
(Your name) _____
(Address) _____

(Telephone) _____

In Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA

_____) Case No.: _____
Plaintiff/Petitioner,)
) Dept. No.: _____
vs.)
) Oral Argument Requested:
_____) _____ Yes _____ No
Defendant/Respondent.)
_____)

NOTICE OF MOTION AND MOTION TO QUASH BENCH WARRANT

TO: Name of Opposing Party _____; and
TO: Name of Attorney for Opposing Party, (if applicable) _____.
TO: Petitioner, in care of the District Attorney, Clark County, Nevada (if applicable).

PLEASE TAKE NOTICE that a hearing on this motion for the relief requested will be held
before the Eighth Judicial District Court - Family Division at 601 N. Pecos Road, Las Vegas
89101, on the (day) _____ of (month) _____, (year) _____ in
Department ____ at (time) _____ m.

_____) _____) _____)
(Date) (Type or print name) (Signature)

1 **NOTICE: YOU ARE ADVISED THAT FAILURE TO FILE AND SERVE A WRITTEN**
2 **OPPOSITION WITHIN 10 DAYS AFTER SERVICE MAY BE UNDERSTOOD AS AN ADMISSION**
3 **THAT THIS MOTION IS VALID. IF YOU HAVE CHILDREN FROM THIS RELATIONSHIP,**
4 **THE COURT IS REQUIRED TO ORDER PAYMENT OF CHILD SUPPORT. THE AMOUNT OF**
5 **CHILD SUPPORT CAN BE LARGE. IT NORMALLY CONTINUES UNTIL THE CHILD IS 18.**
6 **YOU SHOULD SUPPLY THE COURT WITH INFORMATION ABOUT YOUR FINANCES.**
7 **OTHERWISE THE CHILD SUPPORT ORDER WILL BE BASED ON THE INFORMATION**
8 **SUPPLIED BY THE OTHER PARENT.**

9 COMES NOW (check one) Plaintiff / Defendant and files this Motion to Quash Bench
10 Warrant pursuant to NRS Chapter 22. This pleading is based upon the papers and pleadings on file
11 and any evidence or argument heard at the time of the hearing on this matter.

12 **FACTS**

13 A bench warrant was ordered by this Court on (date) _____. The bench
14 warrant stated that (check one) Plaintiff/ Defendant could be released from custody by

15 **(check all that apply)**

16 posting bail in the amount of \$_____

17 paying \$_____, which is to be given to the Plaintiff/ Defendant.

18 The bench warrant should be quashed because _____

19 _____

20 _____

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WHEREFORE, (check one) Plaintiff/ Defendant respectfully requests that this Court grant this motion and for such other relief as the Court deems appropriate.

By:

(Your signature) _____

(Your name) _____

(Address) _____

(Telephone) _____

In Proper Person

AFFIDAVIT IN SUPPPORT OF MOTION TO QUASH BENCH WARRANT

STATE OF NEVADA)

) ss:

COUNTY OF CLARK)

(Your name) _____, being first duly sworn upon oath, deposes and says as follows:

1. I am the Plaintiff / Defendant in the above-entitled action. I have personal knowledge of the facts contained in my motion and in this affidavit and am competent to testify to these facts. The statements in this motion and affidavit are true and correct to the best of my knowledge.

2. Additional facts to support my request to quash the bench warrant issued by this court on (date) _____ are: (write "N/A" if no additional facts) _____

FURTHER YOUR AFFIANT SAYETH NOT:

(Your signature)

SUBSCRIBED and SWORN to before
me this _____ day of
(month) _____, (year) _____.

NOTARY PUBLIC

1 ROC
2 (Your name) _____
3 (Address) _____
4 _____
5 (Telephone) _____

6 In Proper Person

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9
10 _____)
11 Plaintiff)
12 vs.)
13 _____)
14 Defendant.)
15 _____)

CASE NO.: _____
DEPT. NO.: _____

16 **RECEIPT OF COPY**

17 RECEIPT OF COPY of (name of document served) _____

18 _____ is hereby acknowledged this (day) _____ day of (month)
19 _____, (year) _____.

21 (Other party's/attorney's signature) _____

23 (Other party's/attorney's name) _____

24 ///
25 ///
26 ///
27 ///
28 ///

1 CERT
2 (Your Name) _____
3 (Address) _____
4 _____
5 (Telephone) _____
6 In Proper Person

7 DISTRICT COURT
8 CLARK COUNT, NEVADA

9 _____,) Case No. _____
10 Plaintiff,)
11 vs.) Dept No. _____
12 _____,)
13 Defendant.)

14 **CERTIFICATE OF MAILING**

15 I HEREBY CERTIFY that service of the (name of document) _____
16 _____ was made on (date) _____ pursuant to
17 NRCP 5(b) by depositing a copy of same in the United States Mail in Las Vegas, Nevada,
18 postage prepaid, addressed as follows:

19 (Other party's name) _____
20 (Other party's address) _____
21 (Address) _____
22 (Address) _____

23 DATED this _____ day of _____, (year) _____.

24 (Signature of person who mailed document) _____
25 (Name of person who mailed document) _____

26 SUBSCRIBED and SWORN to before
27 me this _____ day of
28 (month) _____, (year) _____.

NOTARY PUBLIC

New Policy at the Clerk's Office

Please....

bring a blank 10X13 envelope when you file your documents. The clerk will mail your documents to you after they are reviewed by the judge. The clerk's office will pay the postage.