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2 **APPENDIX OF FORMS**

3 **Introductory Statement**

4 1. The majority of the former forms were abrogated. There are many excellent
5 alternative sources for forms specific to the various judicial districts. These
6 include:

7 The State of Nevada Self-Help Center

8 <http://selfhelp.nvcourts.gov/forms>

9 First Judicial District Court Forms

10 [http://carson.org/government/departments-a-f/courts/district-court-clerk/district-
11 court-forms](http://carson.org/government/departments-a-f/courts/district-court-clerk/district-
11 court-forms)

12 Second Judicial District Court Forms

13 <https://www.washoecourts.com/Main/FormsAndPackets>

14 Eighth Judicial District Court Forms

15 <http://www.clarkcountycourts.us/self-help-centers/>

16 Ninth Judicial District Court Forms

17 <https://douglasdistrictcourt.com/forms/>

18 Clark County Law Library

19 <http://www.clarkcountynv.gov/lawlibrary/Pages/LegalForms.aspx>

20 Washoe County Law Library

21 <https://www.washoecourts.com/LawLibrary/SelfHelp>

22 Nevada Supreme Court Law Library

23 https://nvcourts.gov/Law_Library/Representing_Yourself/

1 There are also many excellent sources for legal assistance.

2 Lawyer Referral and Information Service

3 <https://www.nvbar.org/lawyerreferral/lawyer-referral-information-service/public-1/>

4 Nevada State Bar

5 <http://www.nvbar.org/>

6 Nevada Attorney General

7 <http://ag.nv.gov/>

8 V.A.R.N. – Volunteer Attorneys for Rural Nevadans

9 <http://www.varn.org/newsite/resources/self-help-court-forms/>

10 Nevada Legal Services

11 <https://nslaw.net/get-legal-help/helpful-links/>

12 The Legal Aid Center of Southern Nevada

13 <https://www.lacsn.org/>

14 Washoe Legal Services

15 <https://washoelegalservices.org/>

16
17 2. Forms 1 and 2 were adopted from FRCP 4 for use in Nevada for requesting a
18 waiver of service, and subsequently waiving service. Under Rule 4, use of these
19 forms to request a waiver of service, or to waive service, is mandatory. In place of
20 the “(Attorney or Plaintiff Information)” or “(Caption)” statements in forms 1 and 2
21 an attorney or pro se litigant should insert the attorney information and caption
22 required by local rules. For example, in the district courts by DCR 12, FJDCR 19,
23 WDCR 10, EDCR 7.20, 10JDCR 16, or other local court rules, or in the appellate
24 courts by NRAP 27 and 32.

1 3. Form 3, Consent to Service by Electronic Means (former form 33), was
2 retained as useful. Form 3 is provided for use between parties when consenting to
3 electronic service under Rule 5(b)(2)(E). When used to consent to electronic service,
4 the form should be sent to the opposing party(ies) and need not be filed with the
5 court unless the court orders otherwise. The use of Form 3 for that purpose is not
6 required. In general, Form 3 should not be used for electronic service through
7 court's electronic-filing system (EFS) under NEFCR 9; registered EFS users are
8 deemed to have consented to service through the EFS under NEFCR 9(c). However,
9 Form 3 may be used under NEFCR 9(c)(2) to consent to service though an EFS for a
10 party that is not authorized to register with the EFS. If Form 3 is being filed with a
11 court, the filer should use the "Attorney or Plaintiff Information" or "Caption"
12 referenced in the above paragraph and in Forms 1 and 2.

1 **Form 1. Rule 4 Request to Waive Service**

2 (Attorney or Plaintiff Information)

3
4 (Caption)

5
6 **Rule 4 Notice of a Lawsuit and Request to Waive Service of Summons.**

7 To (name the defendant or — if the defendant is a corporation, partnership, or
8 association — name an officer or agent authorized to receive service):

9 Why are you getting this?

10 A lawsuit has been filed against you, or the entity you represent, in this court under
11 the number shown above. A copy of the complaint is enclosed with this letter.

12
13 This is not a summons, or an official notice from the court. It is a request that, to
14 avoid expenses, you waive formal service of a summons by signing and returning the
15 enclosed waiver. To avoid these expenses, you must return the signed waiver within
16 (give at least 30 days or at least 60 days if the defendant is outside any judicial
17 district of the United States) from the date shown below, which is the date this notice
18 was sent. Two copies of the waiver form are enclosed, along with a stamped, self-
19 addressed envelope or other prepaid means for returning one copy. You may keep the
20 other copy.

21
22 What happens next?

23 If you return the signed waiver, I will file it with the court. The action will then
24 proceed as if you had been served on the date the waiver is filed, but no summons

1 will be served on you and you will have 60 days from the date this notice is sent (see
2 the date below) to answer the complaint (or 90 days if this notice is sent to you outside
3 any judicial district of the United States).

4
5 If you do not return the signed waiver within the time indicated, I will arrange to
6 have the summons and complaint served on you. And I will ask the court to require
7 you, or the entity you represent, to pay the expenses of making service.

8
9 Your Duty to Avoid Unnecessary Expenses of Serving a Summons

10 Rule 4.1(a) and (b) of the Nevada Rules of Civil Procedure requires certain
11 defendants to cooperate in saving unnecessary expenses of serving a summons and
12 complaint. Such a defendant who is located in the United States and who fails to
13 return a signed waiver of service requested by a plaintiff located in the United States
14 will be required to pay the expenses of service, unless the defendant shows good cause
15 for the failure.

16
17 “Good cause” does not include a belief that the lawsuit is groundless, or that it has
18 been brought in an improper venue, or that the court has no jurisdiction over this
19 matter or over the defendant or the defendant’s property. If the waiver is signed and
20 returned, you can still make these and all other defenses and objections, but you
21 cannot object to the absence of a summons or of service.

22
23 If you waive service, then you must, within the time specified on the waiver form,
24 serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the

1 court. By signing and returning the waiver form, you are allowed more time to
2 respond than if a summons had been served.

3

4 I certify that this request is being sent to you on the date below.

5

6 Date: _____

7

8 _____
(Signature of the attorney or unrepresented party)

9

10 _____
(Printed name)

11

12 _____
(Address)

13

14 _____
(E-mail address)

15

16 _____
(Telephone number)

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1 **Form 2: Rule 4 Waiver of Service of Summons**

2 (Attorney or Plaintiff Information)

3
4 (Caption)

5
6 **Rule 4 Waiver of Service of Summons.**

7 To (name the plaintiff's attorney or the unrepresented plaintiff):

8 I have received your request to waive service of a summons in this action along with
9 a copy of the complaint, two copies of this waiver form, and a prepaid means of
10 returning one signed copy of the form to you.

11
12 I, or the entity I represent, agree to save the expense of serving a summons and
13 complaint in this case.

14
15 I understand that I, or the entity I represent, will keep all defenses or objections to
16 the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any
17 objections to the absence of a summons or of service.

18
19 I also understand that I, or the entity I represent, must file and serve an answer or
20 a motion under Rule 12 within 60 days from _____, the date when
21 this request was sent (or 90 days if it was sent outside the United States). If I fail to
22 do so, a default judgment will be entered against me or the entity I represent.

23
24 Date: _____

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(Signature of the attorney or unrepresented party)

(Printed name)

(Address)

(E-mail address)

(Telephone number)

1 **Form 33. Consent to Service by Electronic Means Under Rule 5**

2
3 The undersigned party hereby consents to service of documents under Rule 5(a) by
4 electronic means as designated below in accordance with Rule 5(b)(2)(DE).
5

6 Party name(s):

7 _____
8 _____

9
10 Documents served by electronic means must be transmitted to the following
11 person(s):

12 _____
13 _____

14
15 Facsimile transmission to the following facsimile number(s):

16 _____
17 _____

18
19 Electronic mail to the following e-mail address(es):

20 _____
21 _____

1 Attachments to e-mail must be in the following format(s):

2 _____

3 _____

4
5 Other electronic means (specify how the documents must be transmitted)

6 _____

7 _____

8 _____

9 _____

10
11 The undersigned party also acknowledges that this consent does not require
12 service by the specified means unless the serving party elects to serve by that
13 means.

14
15 Dated this _____ day of _____, 20____.

16
17 Signed: _____,

18 *Attorney for Consenting Party*
19 *Or Consenting Party*

20
21 Address: _____

22
23 Telephone: _____

24
Fax number: _____

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E-mail address: _____