

READ THIS BEFORE COMPLETING THE FORMS!!!

INSTRUCTIONS FOR MOTION TO ENFORCE COURT ORDER

WARNING!!! YOU SHOULD CONSULT AN ATTORNEY BEFORE USING THESE FORMS. THESE FORMS DO NOT CONTAIN ANY LEGAL ADVICE.

ALL DOCUMENTS FILED BY PERSONS WITHOUT AN ATTORNEY MUST BE NOTARIZED. YOUR DOCUMENTS WILL NOT BE ACCEPTED BY THE COURT IF THEY ARE NOT NOTARIZED.

WHAT YOU MUST DO:

1. You must complete the enclosed form which applies to your situation.
2. You must call the judicial secretary for Department 1 at 753-4601 to set a hearing on this matter before you file and serve the documents.
3. You must sign the documents in all places before a notary public and the notary must complete the notary section in this document.
4. You must make three copies of the document.
5. You must serve a copy of the documents you have completed on the opposing party by mailing a copy of the document to him/her. You must also serve the Instructions for the Opposition to Motion and the blank Opposition to Motion to Enforce Order on the opposing party.
6. You must file the documents with the Clerk of the Court located in the Courthouse at 571 Idaho, Third Floor, Annex Building, Elko, Nevada 89801.
7. You must appear at the date and time specified in the Notice of Hearing which you obtain from the Judicial Secretary to protect your rights. If you fail to appear, the Judge could rule against you.

IF YOU DO NOT COMPLETE EACH OF THE ABOVE STEPS, YOUR MOTION OR OPPOSITION CANNOT BE ACCEPTED BY THE COURT FOR CONSIDERATION.

HOW TO USE THESE FORMS:

Page 1 “Motion to Enforce Order”

Line 1: Insert your case number which can be found on your original order.

Line 9: Insert the name of the plaintiff as it appears on your original order.

Line 12: Insert the name of the defendant as it appears on your original order.

Line 15: Insert your name and check the box indicating whether you are the plaintiff or the defendant in the original order.

Line 16: Check the box indicating whether the opposing person is the plaintiff or the defendant in the original order.

Line 20: Insert the date you sign the Motion.

Lines 22-25: **DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY.** Sign your name before a notary public. Print your name, address and telephone number where indicated and check the box to indicate whether you are the plaintiff or defendant in the original order.

Page 2 “Memorandum of Points and Authorities”

Line 2: Insert your name.

Line 4: Insert the date the original order was filed. You can file this information in the top right hand corner of the first page of your order. If your order is not file stamped, please insert the date the judge signed the order which will appear on the last page of the order.

Line 5: Insert the name of the person you want to comply with the order.

Line 6-10: Insert which part(s) of the order the opposing party is not complying with. Please attach a separate page if necessary.

Line 11-15: Explain exactly how the opposing party has been violating the court order. You must be very specific. Please attach a separate page if necessary.

Line 20: Insert the date you sign the document before a notary public.

Lines 22-25: DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY. Sign your name before a notary public. Print your name, address and telephone number where indicated and check the box to indicate whether you are the plaintiff or defendant in the original order.

Page 3 “Notice of Hearing”

You must telephone the judicial secretary for Department 1 at 753-4601 and obtain a hearing date on your motion.

Line 3: Insert the date and time of the hearing.

Page 3 “Certificate of Service”

The Certificate of Service provides proof to the court that you mailed a copy of your motion to the opposing party.

Line 6: Check whether you are the plaintiff or defendant.

Line 12 through 14: Insert the name and address of the opposing party.

Line 15: Insert the date you sign the document before a notary.

Line 17: DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY. Sign your name.

Lines 18 through 26 are to be completed by the notary you sign the motion before. If your signature is not notarized, your documents cannot be accepted by the court for consideration.

1 CASE NO. _____

2 DEPT. NO. _____

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IN THE FOURTH JUDICIAL DISTRICT COURT

7

OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

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_____ ,

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PLAINTIFF,

11

V.

**MOTION TO ENFORCE ORDER
AND NOTICE OF HEARING**

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_____ ,

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DEFENDANT.

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_____/

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COMES NOW _____, Plaintiff Defendant and moves this Court

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for an Order to enforce Plaintiff Defendant to comply with a previous order of this Court.

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This motion is based upon the memorandum of points and authorities and affidavit attached hereto.

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This motion is further based upon the pleadings and papers on file with the Court and on such other

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and further documentary evidence which may be presented at the hearing on this matter.

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DATED this _____ day of _____, 200__.

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Name: _____

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Address: _____

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Phone No.: _____

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Plaintiff Defendant

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MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to NRS 22.010, _____ (name of moving party) moves this Court for an order to enforce a previous order of this Court.

On _____ (date of court order) this court entered an order which required _____ (name of responding party) to (list the provision of the order which is not being obeyed): _____

_____.

This order has been violated in the following manner (attach separate page if necessary): _____

CONCLUSION

Based upon the foregoing, a hearing is requested on the allegations contained herein, and the undersigned prays for such relief as is appropriate.

Respectfully submitted.

DATED this _____ day of _____, 200__.

Name: _____

Address: _____

Phone No.: _____

Plaintiff Defendant

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1 **NOTICE OF HEARING**

2 NOTICE IS HEREBY GIVEN that a hearing on the above matter has been set for
3 _____, 200__ at _____ in Department 1 of the Fourth Judicial District
4 located at 571 Idaho Street, Elko, Nevada 89801.

5 **CERTIFICATE OF SERVICE**

6 I hereby certify that I am the Plaintiff Defendant in the above-entitled matter, and that
7 on this date, pursuant to NRCP 5(b), I deposited in the United States mail at Elko, Nevada, a true
8 and correct copy of the MOTION TO ENFORCE ORDER, INSTRUCTIONS FOR OPPOSITION
9 TO MOTION TO ENFORCE AND BLANK OPPOSITION TO MOTION TO ENFORCE addressed
10 to:

11 NAME AND ADDRESS OF OPPOSING PARTY:

12 _____
13 _____
14 _____

15 DATED this _____ day of _____, 200__.

16
17 _____
Signature

18 STATE OF NEVADA)
19) ss.
COUNTY OF ELKO)

20 On this _____ day of _____, 200__, personally appeared before me, the
21 undersigned, a Notary Public in and for said County and State, _____
22 known to me to be the person described in and who executed the above and foregoing Motion to
Enforce Order and Notice of Hearing, who acknowledged to me that _____
executed the same freely and voluntarily and for the uses and purposes therein mentioned.

23 WITNESS my hand and official seal the day and year above-written.

24
25 _____
Notary Public
26

READ THIS BEFORE COMPLETING THE FORMS!!!

INSTRUCTIONS FOR OPPOSITION TO MOTION TO ENFORCE COURT ORDER

WARNING!!! YOU SHOULD CONSULT AN ATTORNEY BEFORE USING THESE FORMS. THESE FORMS DO NOT CONTAIN ANY LEGAL ADVICE.

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WHAT YOU MUST DO:

1. You must complete the enclosed form which applies to your situation.
2. You must sign the documents in all places before a notary public and the notary must complete the notary section in this document.
3. You must make three copies of the document.
4. You must serve a copy of the documents you have completed on the opposing party by mailing a copy to him/her.
5. You must file the documents with the Clerk of the Court located in the Courthouse at 571 Idaho, Third Floor, Annex Building, Elko, Nevada 89801.
6. Please note that the Motion contains a Notice of Hearing. You must appear at the date and time specified to protect your rights or the Judge could rule against you.

IF YOU DO NOT COMPLETE EACH OF THE ABOVE STEPS, YOUR MOTION OR OPPOSITION CANNOT BE ACCEPTED BY THE COURT FOR CONSIDERATION.

HOW TO USE THESE FORMS:

Page 1, “Opposition to Motion to Enforce Order”

Line 1: Insert your case number which can be found on your original order.

Line 9: Insert the name of the plaintiff as it appears on your original order.

Line 12: Insert the name of the defendant as it appears on your original order.

Line 15: Insert your name and check the box indicating whether you are the plaintiff or the defendant in the original order.

Line 20: Insert the date you sign the Motion.

Lines 22-25: **DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY.** Sign your name before a notary public. Print your name, address and telephone number where indicated and check the box to indicate whether you are the plaintiff or defendant in the original order.

Page 2, “Memorandum of Points and Authorities”

Line 2: Insert your name.

Line 7: Explain all the reasons the court order was not complied with, if any. Please attach a separate sheet if necessary.

Lines 21-25: **DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY.** Sign your name before a notary public. Print your name, address and telephone number where indicated and check the box to indicate whether you are the plaintiff or defendant in the original order.

Page 3 “Certificate of Service”

The Certificate of Service provides proof to the court that you mailed a copy of your motion to the opposing party.

Line 2: Check whether you are the plaintiff or defendant.

Line 6 through 8: Insert the name and address of the opposing party.

Line 10: Insert the date you sign the document before a notary.

Line 12: DO NOT SIGN UNLESS YOU ARE BEFORE A NOTARY. Sign your name.

Lines 14 through 21 are to be completed by the notary you sign the motion before. If your signature is not notarized, your documents cannot be accepted by the court for consideration.

YOU SHOULD CONSULT WITH AN ATTORNEY BEFORE COMPLETING THESE FORMS.

1 CASE NO. _____

2 DEPT. NO. _____

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IN THE FOURTH JUDICIAL DISTRICT COURT

7

OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

8

9

_____ ,

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PLAINTIFF,

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V.

**OPPOSITION TO MOTION
TO ENFORCE ORDER**

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_____ ,

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DEFENDANT.

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_____/

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COMES NOW _____, Plaintiff Defendant and opposes the

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Motion to Enforce Order. This motion is based upon the memorandum of points and authorities and

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affidavit attached hereto. This motion is further based upon the pleadings and papers on file with

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the Court and on such other and further documentary evidence which may be presented at the hearing

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on this matter.

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DATED this _____ day of _____, 200__.

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Name: _____

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Address: _____

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Phone No.: _____

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Plaintiff Defendant

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MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to NRS 22.010, _____ (name of responding party) opposes the Motion to Enforce a previous order of this Court.

The Order of this Court referred to in the Motion did not require the action the moving party is seeking. Responding Party's did perform all requirements under the Order. If Responding Party did not comply with the order, it was because (list all reasons for not complying with the Order of this Court; attached separate page if necessary): _____

CONCLUSION

Based upon the foregoing, a hearing is requested on the allegations contained herein, and the undersigned prays for such relief as is appropriate.

Respectfully submitted.

DATED this _____ day of _____, 200__.

Name: _____

Address: _____

Phone No.: _____

Plaintiff Defendant

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CERTIFICATE OF SERVICE

I hereby certify that I am the Plaintiff Defendant in the above-entitled matter, and that on this date, pursuant to NRCP 5(b), I deposited in the United States mail at Elko, Nevada, a true and correct copy of the OPPOSITION TO MOTION TO ENFORCE ORDER, addressed to:

NAME AND ADDRESS OF OPPOSING PARTY

DATED this _____ day of _____, 200__.

Signature

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

On this _____ day of _____, 200_, personally appeared before me, the undersigned, a Notary Public in and for said County and State, _____ known to me to be the person described in and who executed the above and foregoing Opposition to Motion to Enforce Order, who acknowledged to me that _____ executed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year above-written.

Notary Public