



# Pacific Law Journal Review of Selected Nevada Legislative

---

Volume 1983 | Issue 1

Article 49

---

1-1-1983

## Domestic Relations; Summary Divorce Procedure

University of the Pacific, McGeorge School of Law

Follow this and additional works at: <https://scholarlycommons.pacific.edu/nlr>



Part of the [Legislation Commons](#)

---

### Recommended Citation

University of the Pacific, McGeorge School of Law, *Domestic Relations; Summary Divorce Procedure*, 1983 U. PAC. L. REV. (2019).

Available at: <https://scholarlycommons.pacific.edu/nlr/vol1983/iss1/49>

This Legislative Review is brought to you for free and open access by the Journals and Law Reviews at Scholarly Commons. It has been accepted for inclusion in Pacific Law Journal Review of Selected Nevada Legislative by an authorized editor of Scholarly Commons. For more information, please contact [mgibney@pacific.edu](mailto:mgibney@pacific.edu).

# Domestic Relations

## Domestic Relations; summary divorce procedure

NEV. REV. STAT. §§125.— (new); 125.090 (amended).  
SB 193 (Committee on Judiciary); 1983 STAT. Ch 175

Chapter 175 creates a summary divorce procedure for couples who jointly petition for a divorce.<sup>1</sup> This procedure is available if, at the time the joint petition is filed,<sup>2</sup> (1) either party meets the jurisdictional requirements,<sup>3</sup> (2) the parties are incompatible or have not cohabitated for one year,<sup>4</sup> (3) no minor children, natural or adopted, are of the relationship and the wife is not pregnant,<sup>5</sup> (4) the parties have executed an agreement providing for the division of community property and the assumption of community liabilities,<sup>6</sup> (5) the parties have waived their rights to any spousal support,<sup>7</sup> (6) the parties have waived their right to specified procedural matters,<sup>8</sup> and (7) the parties desire the court to enter a decree of divorce.<sup>9</sup> The joint petition may be revoked unilaterally by either party at any time prior to the entry of a final decree.<sup>10</sup> Once entered, however, the decree will act as a final adjudication of the rights and obligations of the parties with respect to the marriage.<sup>11</sup>

Under existing law, witnesses in divorce actions are required to give oral testimony before the court.<sup>12</sup> In addition, the divorce proceedings are to be conducted in the same manner as trials in a court of law.<sup>13</sup> Chapter 175 specifies that these provisions do not apply to summary divorce proceedings.<sup>14</sup>

---

1. 1983 Nev. Stat. c. 175, §§2-5, at 415-16.

2. *Id.* c. 175, §3, at 415.

3. *Id.* c. 175, §2(1), at 415; *see* NEV. REV. STAT. §125.020 (jurisdictional requirements for divorce).

4. 1983 Nev. Stat. c. 175, §2(2), at 415.

5. *Id.* c. 175, §2(3), at 415.

6. *See id.* c. 175, §2(4), at 415.

7. *Id.* c. 175, §2(5), at 415.

8. *Id.* c. 175, §2(6), at 415 (right to 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).

9. *Id.* c. 175, §2(7), at 415.

10. *Id.* c. 175, §4(1), at 415-16. A minimum of ten days after the filing of the joint petition, the court may enter a final judgment or decree of divorce. *Id.* c. 175, §5(1), at 416.

11. *Id.* c. 175, §5(2), at 416. Parties may still institute an action to set aside the final judgment on any grounds recognized at law or in equity. *Id.* c. 175, §5(3), at 416.

12. NEV. REV. STAT. §125.090(1) (amended by 1983 Nev. Stat. c. 175, §6(1), at 416).

13. *Id.* §125.090(2) (amended by 1983 Nev. Stat. c. 175, §6(2), at 416).

14. *Id.* §125.090 (amended by 1983 Nev. Stat. c. 175, §6, at 416).