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Clark County Law Library Initiating a Lawsuit

Court forms and requirements vary by state and by court. It is important to determine which court you are filing in and use the forms and procedures appropriate for that particular court.

Represent Yourself in Court: How to Prepare & Try a Winning Case by Nolo Press is written for people acting as their own attorneys and provides general information about forms and court procedures.

THE COMPLAINT

The free dictionary at www.nolo.com/dictionary defines a Complaint as “Papers filed in court by an injured party to begin a lawsuit by setting out facts and legal claims (usually called causes of action).” Preparing a Complaint may involve researching laws and drafting a document. The state of Nevada does not provide “fill in the blank” forms for every need or law.

The Nevada Revised Statutes – The (NRS) are available in print at the Law Library and links to laws, City, and County Codes may be found online through the Nevada Legal Research link on our homepage at www.ClarkCountyNV.Gov/LawLibrary.

Definitions for the following common legal terms were taken from the free dictionary at www.nolo.com/dictionary. Before you prepare a Complaint, you may wish to research the following issues:

Cause of Action – A specific legal claim -- such as for negligence, breach of contract, or medical malpractice -- for which a plaintiff seeks compensation.

Damages – In a lawsuit, the money awarded to one party based on injury or loss caused by the other.

Jurisdiction – The authority of a court to hear and decide a case.

Statute of Limitations – The legally prescribed time limit in which a lawsuit must be filed.

Court Rules – Court rules govern issues such as the format, timeline, and manner of Service. Court Rules are available in print at the Law Library and online at www.leg.state.nv.us/CourtRules.

Forms – Many courts do not provide Complaint forms and it may be necessary to create a document with the help of a sample form or sample language. The Forms Index, available on our homepage at www.ClarkCountyNV.Gov/LawLibrary, provides a list of some online forms and sample forms available at the Law Library.

THE SUMMONS

Nolo defines Summons as “A paper prepared by the plaintiff and issued by a court that informs the defendant that she has been sued.” Rules concerning the Summons may be found in Nevada Rules of Civil Procedure 4 (NRCP 4) and Justice Court Rules of Civil Procedure 4 (JCRCP 4).

SERVICE OF PROCESS

According to *Represent Yourself in Court: How to Prepare & Try a Winning Case*, Service of Process is defined as “The delivery of legal documents, such as initial pleadings, to an opposing party.” Rules concerning Service of Process, or Civil Process, may be found in Nevada Rules of Civil Procedure 4 (NRCP 4) and Justice Court Rules of Civil Procedure 4 (JCRCP 4).

ASSISTANCE

Library staff can show you how to look up laws, forms, and court rules, but cannot select or comment upon items that are specific to your case.