**MOT**

ATTORNEY, ESQ.

Nevada Bar No. Bar #

Address

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION – JUVENILE

CLARK COUNTY, NEVADA

In the Matter of: ) Case No.: J

 ) Dept. No.:

**CLIENT,** ) Courtroom:

DOB: Date of Birth )

AGE: Age YEARS OLD )

 )

 A MINOR. )

 )

**MOTION FOR PERMISSION FOR TRAVEL OUTSIDE THE UNITED STATES AND ORDER TO OBTAIN A PASSPORT FOR TRAVEL**

COMES NOW, Attorney, Esq., of Firm, by and on behalf of CLIENT, a minor, and submits this Motion for Permission for Travel Outside the United States and Order to Obtain a Passport for Travel.

This Motion is made and based upon the following Memorandum of Points and Authorities, the affidavit attached hereto, the papers and pleadings on file herein, and such other documentary and oral evidence as may be presented at the hearing of this Motion.

DATED this Day day of Month, Year.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ATTORNEY, ESQ.

Nevada Bar No.: Bar #

Address

**NOTICE OF MOTION**

TO: Attorney, Esq., Deputy District Attorney, Attorney for the Department of Family Services;

TO: Attorney, Esq., Attorney for the Natural Father, Father;

TO: Case Manager, Case Manager, Department of Family Services.

**PLEASE TAKE NOTICE** that the undersigned will bring the foregoing MOTION on for hearing before the Eighth Judicial District Court – Family Division, 601 N. Pecos Road, Las Vegas, Nevada 89101, on the Day day of Month, Year in Courtroom Courtroom **#** at Time.

**NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT HEARING PRIOR TO THE SCHEDULED HEARING.**

DATED this Day day of Month, Year.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ATTORNEY, ESQ.

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**I. STATEMENT OF FACTS**

 This family came to the attention of Child Protective Services upon the report of CLIENT testing positive for amphetamines and methamphetamines at the time of his birth on Date. He was diagnosed with Hydrocephalus and had to be delivered by an emergency C-section. CLIENT suffered a significant amount of fluid on the brain and a shunt had to be placed to drain the fluid and relieve the pressure. Natural parents were inconsistent with their visits during his hospitalization and failed to complete classes at the hospital to learn how to care for CLIENT’S special needs. Neither parent could be located at the time he was ready for discharge.

 Abuse and neglect allegations were substantiated against both parents at prove-up hearings when they failed to appear. CLIENT was made a ward of this Court on Date. He has been placed in the home of his paternal grandfather, Grandfather and his family since Date. Natural mother’s whereabouts are currently unknown. She has not maintained contact with the Department of Family Services and has not been making progress on her case plan objectives. Natural father is currently incarcerated.

 Grandfather and his family plan to travel to Country for two to three weeks over the Christmas and New Year’s holidays to visit with his elderly mother, who resides there. The family wants CLIENT to make the trip with them and be able to meet his great-grandmother. Further, given his special needs, they are concerned about where they would leave CLIENT during their trip if he could not go with them and desperately want to avoid him having to go into foster-care.

**II. LEGAL ARGUMENT**

 This Court can make orders in the best interests of the child. NRS 432B.560. In the instant case, it is in CLIENT’S best interest to be allowed to go on vacation with his grandfather and his family, the only care-givers and family this child has ever known, and to get to meet his extended family. It is also in his best interest to avoid having to enter foster-care and spend the holidays with strangers.

 Furthermore, without the order of the court, undersigned counsel anticipates that a passport for CLIENT could not be obtained in a timely manner due to natural father being incarcerated and the natural mother’s whereabouts being unknown. Giving that neither parent is currently engaged in CLIENT’S life, there is no concern that they would be negatively affected by the proposed travel plans.

**III. CONCLUSION**

 For the reasons outlined above, CLIENT respectfully requests that this Court grant the instant motion and issue an order authorizing paternal grandfather, Grandfather to obtain a passport for CLIENT and permitting CLIENT to travel to Country for up to three weeks in Month / Year.

 Respectfully submitted this Day day of Month, Year.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ATTORNEY, ESQ.

Nevada Bar No.: Bar #

Address

**AFFIDAVIT OF COUNSEL**

STATE OF NEVADA )

 )ss.

COUNTY OF CLARK )

 I, Attorney, after being first duly sworn, deposes and says:

1. I am a licensed practicing attorney, appointed to represent the subject minor, CLIENT. I have personal knowledge of the facts alleged herein or the assertions are based on information and belief.
2. I have spoken with CLIENT’S paternal grandfather, Grandfather who plans to travel to Country for up to three weeks over the holidays in late Month/Year.
3. I have been informed by Grandfather that his entire family plans to visit with his mother who resides in Country and it is their desire for CLIENT to be able to meet her.
4. I have been informed by Grandfather that they have no one else to care for CLIENT in their absence and they are distraught at the idea of leaving him in foster-care over the holidays.
5. I have been assured by Grandfather that he and his family intend to return to the United States within three weeks of departure, as they own their home, have dogs, he and his wife have jobs, and their minor children must return to school after the Christmas Break.
6. I have been informed by CLIENT’S caseworker, Caseworker, that CLIENT’S father, Father, is currently incarcerated in High Desert Correctional Facility.
7. I have been given the last known address that CLIENT’S caseworker, Caseworker, has for CLIENT’S mother, Mother, but have been informed that she is not in contact with the Department of Family Services.
8. I have reviewed the U.S. Department of State’s website and learned that the average processing time for passport applications is 4 – 6 weeks.
9. I have reviewed the U.S. Department of State’s website which indicates that at least one parent needs to be present physically to apply for a passport for a minor and that parent must submit a signed and notarized consent from the other parent.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SUBSCRIBED AND SWORN to before me

this Day day of Month, Year.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NOTARY PUBLIC in and for

County of Clark, State of Nevada

***CERTIFICATE OF SERVICE***

I HEREBY CERTIFY that on the Day day of Month, Year, I placed a true and correct copy of the forgoing ***MOTION FOR PERMISSION FOR TRAVEL OUTSIDE THE UNITED STATES AND ORDER TO OBTAIN A PASSPORT FOR TRAVEL***, postage fully prepaid, in the United States Mail addressed as follows:

 Attorney, Esq.

 Deputy District Attorney Juvenile

Family Court

601 N. Pecos Road, Room 470

Las Vegas, Nevada 89101

Attorney for the Department of Family Services

Attorney, Esq.

Address

Attorney for the Natural Father, Father

Case Manager, Case Manager

Department of Family Services

701 N. Pecos Road, Bldg. K

Las Vegas, Nevada 89101

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 An Employee of

Firm