

**COMING OF AGE IN NEVADA  
2004 Revisions**

**VOTING**

**What Are The Requirements For Voting?** You must (i) be a citizen of the United States, (ii) be at least 18 years of age, (iii) have continuously resided in Nevada and in the county 30 days and in the precinct 10 days preceding the day of the next succeeding primary, primary city, general, or general city election; and, (iv) be registered to vote. NRS 293.485.

**What Happens If I Have Registered But Cannot Appear At The Poll On Election Day?** If you apply with the Registrar of Voters for an absent ballot, at any time before 5 p.m. on the seventh calendar day before the election, you may cast your vote by mail prior to the election. To be valid, an absent vote must be received by the county or city clerk before polls are closed on Election Day. If you fail to vote by absent ballot and you do not appear at the polls on Election Day to vote, you lose your opportunity to vote in the election. *See generally* NRS 293.309 to 293.240, inclusive.

**JURY DUTY**

**What Are The Qualifications For Serving On A Jury?** You must be eligible to vote, a resident of

the county in which you would serve, not so ill or disable as to interfere with jury duty, and able to read and understand the English language. In general, if you have been convicted of treason, a felony, or other infamous crime, you are not eligible to serve on a jury. State law, however, does allow a person who has been convicted of a felony to serve as a juror if that person's civil rights have been restored pursuant to Nevada law. NRS 6.010.

**Are Jurors Paid By The County?** Yes, jurors are currently paid \$40 per day, and may be entitled to a mileage allowance of 36.5 cents per mile and a meal allowance. NRS 6.150.

## **MILITARY SERVICE**

**What Are The Penalties If I Do No Register?** Failure to register with the Selective Service Administration is a federal crime punishable by up to five years imprisonment, a fine of up to \$10,000, or both. Failure to register also results in ineligibility of federal financial assistance for higher education. Anyone required to register must also file a statement of compliance as a prerequisite to receiving federal financial assistance. 50 U.S.C. Appx. §462.

**How Do I Register?** You go to a United States post office and request a Selective Service registration form. You fill in your name, address,

mental or emotional injury to the child. The primary consideration in determining whether to terminate parental rights is "whether the best interests of the child will be served by the termination."

**What Kind Of Protection Can An Abused Spouse Receive From A Court While A Divorce Action Is Pending?** A court can place a restraining order or an injunction upon the parties which essentially orders those parties not to interfere with each other, nor to interfere with the custody or visitation rights of either of the parties. NRS 33.017 to 33.100, inclusive. Anyone violating that order is guilty of a misdemeanor, unless a more severe penalty is required by law for the act that constitutes the violation of the order.

person, after deduction of all legitimate business expenses, but before taxes, retirement contributions or other personal expenses are deducted. The percent required for support is as follows: for one child, 18%; for two children, 25%; for three children, 29%; for four children, 31%; and an additional 2% for each additional child. The amount of child support per month per child, however, may not exceed the presumptive maximum provided by law. The current presumptive maximum of child support is \$833.00 per month per child. This presumptive maximum will increase in July of each year based on the consumer price index. NRS 125B.070. For example, if you have one child and earn \$1,000 per month before taxes, you would be required to pay \$180.00 per month at least until the child is 18 years of age.

**May A Parent's Rights Be Terminated?** Yes. A court may terminate parental rights for the following reasons: the conduct of the parent or parents was the basis for a finding by a child welfare services agency made pursuant to NRS 432B.393(3); abandonment of the child; neglect of the child; unfitness of the parent; failure of parental adjustment; or risk of serious physical, mental or emotional injury to the child. A court may also terminate parental rights if the parent exhibits only "token efforts" to support, communicate with, prevent neglect to, or eliminate the risk of physical,

social security number and birth date, and return the form to a postal employee. You also must notify the Selective Service Administration within 10 days of any change in your name, current mailing address or permanent residence address. 32 C.F.R. § 1621.1.

## **DRIVING**

**What Are Nevada's Laws Dealing With Driving Under The Influence Of Alcohol Or A Controlled Substance (DUI)?** It is unlawful to drive or be in actual physical control of a vehicle if a blood or breath test shows you have concentration of alcohol of 0.08 or more, or a defined amount of a controlled substance (including some prescription medications). The penalties often include revocation of your driver's license, the assessment of a fine, imposition of a jail sentence, and mandatory attendance at an educational course on the abuse of alcohol and controlled substances. The penalties increase with prior convictions. NRS 484.379 *et seq.*

Additionally, anyone under the age of 21 who has a concentration of alcohol more than 0.02 but less than 0.10 in their blood or breath who is driving or has physical control of the vehicle will have their license suspended for 90 days. NRS 483.461.

## **ALCOHOL CONSUMPTION**

**What Are The Penalties For Violating Nevada's Drinking Laws?** The penalties for violating NRS 202.020 include a fine of up to \$1,000 and/or imprisonment in the county jail for up to six months. The penalty for violating NRS 202.030 is a fine of up to \$500. The penalty for violating NRS 202.040, 202.055, and 205.460 (creating or using a false identification card) is a fine of up to \$1,000 and/or imprisonment in the county jail for up to six months.

## **CRIMINAL LAW**

**What Happens When Someone Is Charged With A Crime?** Being charged with a crime is a very serious matter. If convicted, the court may impose a fine, imprisonment, community service, civil sanctions, and/or order the person to pay restitution to the victim(s). Any person who is 18 years of age may be tried as an adult. Additionally, a person 14 years of age or older may be tried in Nevada as an adult for felonies. NRS 62B.390.

## **CONTRACTS**

**Do Contracts Have To Be In Writing To Be Legally Enforceable?** Sometimes. In general, contracts do not have to be in writing to be legally enforceable. Certain kinds of contracts, however,

and of all minor children. A husband or wife abandoned by his or her spouse, however, is not liable for the support of the abandoning spouse until such spouse offers to return unless the misconduct of the husband or wife justified the abandonment. Either spouse may be held liable for necessities furnished to the other and/or to their minor children. NRS 123.090 to 123.110, inclusive; 125B.020.

**Does A Non-Working Spouse Have Any Share In The Family's Income Or Assets?** Yes. Most property acquired after marriage by either husband or wife is presumed to be "community property," unless otherwise provided by agreement or ordered by a court. NRS 123.220; *see also Pryor v. Pryor*, 103 Nev. 148, 734 P.2d 718 (1987). Community property means that husband and wife have an equal ownership interest in the property regardless of who acquired the property. NRS 123.225. Property owned by the husband or wife before the marriage, and that acquired afterwards by gift, bequest, devise, descent or by an award for personal injury damages, is separate property. NRS 123.130.

**Whether Married Or Not, How Much Must A Parent Pay In Child Support? How Is This Amount Determined?** The parent must pay a percentage of his or her "gross monthly income." This means the total amount of income from any source of a person who is not self-employed or the gross income from any source of a self-employed

refusing to violate the law and reporting the illegal conduct to the proper law enforcement authorities (not a supervisor); (2) refusing to work under conditions unreasonably dangerous to the employee; (3) accepting jury duty; or (4) filing a worker's compensation claim. *Wayment v. Holmes*, 112 Nev. 232, 912 P.2d 816 (1996).

**If I Believe I Have Been Subjected To Sexual Harassment In My Workplace, Can I Sue?** Yes. The laws forbidding employment discrimination protect both men and women against sexual harassment in the workplace (men or women can sue their employer if they have been subjected to sexual harassment by other men or women). *Burlington Industries v. Ellerth*, 524 U.S. 742 (1998); *Faragher v. Boca Raton*, 524 U.S. 775 (1998); *Meritor Savings Bank v. Vinson*, 477 U.S. 57 (1986).

**Whom Should I Contact If I Think I Have Been Discriminated Against?** Immediately contact the Nevada Equal Rights Commission in Las Vegas at (702) 486-7161 or in North Las Vegas at (702) 486-0224 or in Reno at (775) 688-1288.

## **MARRIAGE, DIVORCE AND CHILDREN**

**In A Marriage, Who Has To Provide Support?** In essence, both husband and wife have an obligation to provide for the support of each other

MUST be in writing. Contracts which must be in writing include: contracts that cannot be performed within one year (such as certain cellular telephone contracts); contracts for the rental of real property lasting more than a year (such as an apartment lease); and, contracts for the purchase of goods in excess of \$500 (such as a car).

NRS 104.1206; NRS 104.2201; NRS 111.205 to 111.235, inclusive.

**May I Cancel My Contract?** Under certain limited circumstances you may cancel the agreement for a limited period of time after you have signed a contract. For example, you can seek to cancel a contract if (i) you entered into the contract as a result of fraud or misrepresentation by the other party; (ii) you were not legally competent to enter into the contract; or (iii) both parties entered into the contract based on a mistake of fact material to the agreement. In addition, certain contracts may be cancelled during a "cooling off" period. For example, any door-to-door sale contract for goods or services sold for \$25 or more may be cancelled by the buyer's written notice to the seller no later than midnight of the third business day after the date the contract was signed.

## PROPERTY LEASES

**Does The Lease Have To Be In Writing To Be Legal?** Only a lease for a term of 1 year or longer must be in writing. Leases for a term less than a year may be oral, however, a written lease always is preferable to an oral lease. NRS Chapter 118A governs residential tenancies and specifies terms required and prohibited in a residential lease. NRS 118A.200 to 118A.220, inclusive. If you live in an apartment where the federal government pays a portion or your rent, you may have additional protections available to you under federal law.

**Does The Landlord Have The Right To Enter My Apartment At Any Time?** A landlord generally has the right to peaceably enter your apartment for reasonable purposes with your consent. For example, with your consent, a landlord may enter your apartment to inspect the premises; to make necessary or agreed repairs, decorating, alterations or improvements; or to show the apartment to a prospective purchaser. You cannot unreasonably refuse to allow a landlord to peaceably enter your apartment for reasonable purposes. Unless it is an emergency, however, the landlord must give you 24 hours' notice before entering your apartment and then may enter only at reasonable times during normal business hours (unless you agree otherwise). NRS 118A.330.

## EMPLOYMENT

**If I am Fired, Can I Sue My Employer?** Generally no. However, a few exceptions exist:

- An employer cannot fire or discriminate against someone (a job applicant or employee) because of that person's race, color, religion, gender, national origin, age, or disability. *See generally* 42 U.S.C. §§2000e-2 *et seq.*; 29 U.S.C. §§623 *et seq.*; 42 U.S.C. §§12111 *et seq.*; NRS 613.330. In addition, Nevada law prohibits employers from discriminating against a person with a disability by interfering with that person's use of an animal trained or in training to assist or accommodate a person with a disability at their job. NRS 613.330. However, these laws only cover employers with 15 or more employees. NRS 613.310.

- An employer cannot retaliate against a job applicant or employee for opposing any discriminatory employment practice, filing an employment discrimination charge, testifying, assisting, or participating in an investigation or proceeding alleging employment discrimination. 42 U.S.C. §200e-3(a); NRS 613.340.

- An employer cannot fire an employee if the employee's dismissal violates Nevada public policy. This occurs if an employer fires an employee for (1)