

# NFLR

NEVADA FAMILY LAW REPORT

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## JOINT CUSTODY IN NEVADA: TIME FOR REFORM?

By Roger A. Wirth and Kathryn E. Stryker

### 1989 FAMILY LAW LEGISLATION SUMMARY

By Peter Jaquette

Family law legislation received relatively minor attention from the Nevada State Legislature of 1989, at least in terms of ultimate results. As with 1987, child support enforcement seemed to produce the most significant changes. The legislative activity is outlined below, roughly grouped by subject matter.

#### CHILD SUPPORT

AB 552 establishes a presumption in favor of wage assignment under all support orders entered or modified after January 1, 1990. These orders will include wage assignment for child support unless one party demonstrates, and the court finds, good cause for postponement of wage assignment, or unless all parties agree in writing not to have a wage assignment.

This legislation also requires the DA's office to advise parents seeking enforcement of child support of the availability of tax intercept procedures and to provide

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#### INTRODUCTION

In 1981, the Nevada Legislature approved passage of Senate Bill No. 188 which enlarged provisions for joint custody and created a presumption that joint custody is in the best interests of a minor child if the parents have agreed to such an award.<sup>1</sup> As a result, Nevada was one of the leaders of the growing national trend toward awards of joint custody in divorce cases.<sup>2</sup> In recent years, however, experts are questioning the wisdom of such legislation.<sup>3</sup> Last year, California revised its statute to remove the legislative presumption that joint custody is in the best interest of children.<sup>4</sup> In light of these recent events and the inherent ambiguities found in Nevada's custody statutes,<sup>5</sup> it is time to re-examine our legislative mandates in this regard.

#### NEVADA'S JOINT CUSTODY STATUTES

The concept of joint custody is not new to Nevada courts, although statutory references to joint custody were rare until 1981. Prior to 1979, N.R.S. §125.140 provided that "[t]he court, in granting a divorce, shall make such disposition of, and provision for, the children, as shall appear most expedient under all the circumstances, and most for the present comfort and future well-being of such children."<sup>6</sup> This statute was amended in 1979, and the above lan-

guage was replaced with language allowing the court to grant custody to the parties jointly "if it appears to the court that joint custody would be in the best interest of the child. . . ." <sup>7</sup> Until 1981, this was the only reference to joint custody found in the Nevada statutes.

In 1981, the legislature amended N.R.S. §125.140 and added a series of statutes which relate specifically to joint custody issues in divorce actions.<sup>8</sup> In particular, N.R.S. § 125.480 was added, which provides that the court shall award custody in a stated order of preference, beginning with joint custody "pursuant to N.R.S. §125.490 (another statute added in 1981), "pursuant to N.R.S. §125.490 provides that there is a presumption that joint custody would be in the best interest of a minor child "if the parents have agreed to an award of joint custody or so agree in open court at a hearing for the purpose of determining the custody of the minor child or children of the marriage."<sup>9</sup> In addition, N.R.S. §125.510 was added, which governs post-divorce modifications. This statute allows the court to modify or terminate joint custody orders and to modify custody orders of other states to joint custody orders.

These statutes, when read together, contain several inconsistencies and ambiguities. For example, "Joint custody" is not

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The Pro Bono Project is the fastest growing and most successful program sponsored by the Clark County Bar Association.

Established in 1985, the Project is the first comprehensive effort to coordinate and promote private bar involvement in providing legal services to low income residents of Clark County.

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with hundreds of your colleagues and participate in a truly worthy community spirited program, please call the Pro Bono office at 382-4090 to volunteer your services.

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Washoe County Bar Association has been working very hard to redesign a Pro Bono Program which will give attorneys an opportunity to participate in meaningful pro bono work. Working with Washoe Legal Services to provide pro bono assistance in SIIS, landlord/tenant and domestic relations matters, WCBA plans to offer attorney-participants special training in those areas of law (with CLE-credit) to increase their knowledge and background in that particular specialty, and encourage participation from more WCBA members. For information on the new program, please call Washoe Legal Services at 329-2727.

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The **NEVADA FAMILY LAW REPORT** is intended to provide family law related material and information to the bench and bar with the understanding that neither the State Bar of Nevada, Family Law Section editorial staff nor the authors intend that its content constitutes legal advice. Services of a lawyer should be obtained if assistance is required. Opinions expressed are not necessarily those of the State Bar of Nevada or the editorial staff.

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The *Nevada Family Law Report* seeks to provide interesting and substantive family law material to educate both the bench and the bar. NFLR needs articles for upcoming issues. If you are interested in writing critiques of pertinent cases, reports/opinions of family law legislation or discussions of family law trends and issues, please request authors guidelines from Christine Cendagorta, Managing Editor, State Bar of Nevada, 295 Holcomb Ave., Ste. 2, Reno, NV 89502. Telephone, 786-4494. IBM compatible disks are acceptable. Please include hard copy with your disk.

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## Joint Custody con't

defined, and no distinction is made between joint physical custody and joint legal custody. Additionally, the section of N.R.S. §125.490 which states the statutory presumption for joint custody awards, if read literally, is meaningless. The section provides for a presumption, affecting the burden of proof, that joint custody would be in the best interest of the minor child. However, this presumption occurs only if both parties have agreed to such an award. In such a case, there would be no need for the presumption, since neither parent would contest the issue once an agreement was reached.

N.R.S. §125.480, by virtue of the reference to Section 125.490, literally requires that both parties agree to joint custody in order for the court to make such an award. However, N.R.S. §125.510 allows the court to modify custody orders from other states to order joint custody, without any reference to an agreement of the parties or section 125.490. Furthermore, experience indicates that joint legal custody is routinely awarded in divorce proceedings, regardless of the parties' agreement,<sup>10</sup> and joint physical custody is often awarded despite the objection of one parent.

In addition to these inconsistencies, Nevada's joint custody statutes pose a difficult problem for parents who oppose joint custody. N.R.S. §125.490 includes a "friendly parent" <sup>11</sup> provision, which directs the court to consider, "among other factors, which parent is more likely to allow the child to have frequent associations and a continuing relationship with the non-custodial parent" <sup>12</sup> when awarding custody to either parent. The practical effect of this provision is disturbing:

By raising a request for joint custody, a party can exert enormous pressure on the bargaining process. The thrust towards joint custody conveys the sense that a request for sole custody is always the result of bad motives and that a request for joint custody — even from a parent who has had little previous role in child rearing — is always the result of good motives. This is not the case. Rather, the party who requests joint



custody gains unconscionable leverage — regardless of whether he really wants joint custody or whether it is in the child's best interest. Frequently, this results in a mother trading away financial terms of an agreement in exchange for custody. <sup>13</sup>

The presumption that joint custody is in a child's best interests heightens these difficulties and gives the court no reason to look beyond the presumption, to a party's motives. This is unfortunate, since the reasons that a party requests joint custody should be considered:

The reasons for desiring joint custody must be assessed. Sometimes vengeance may be a motive. A father, for example, may recognize the mother to be the preferable parent and realize that if he were to fight for sole custody, he would not be likely to win. However, if he tries to gain joint custody, he may be successful, and this may serve him well as a way of wreaking vengeance on his wife. <sup>14</sup>

Furthermore, the presumption allows the court to award joint custody as a compromise, effectively eliminating the need for the court to make a very difficult decision regarding a child's best interests:

Joint custody is commonly requested (and even granted) as a compromise. It may appear to be a reasonable course, but this is a poor reason for recommending it. In such situations, instead of the parents having a joint custodial arrangement, they have a no custodial arrangement. Neither parent has power or control, and the children find themselves in a no-man's land, exposed to the cross-fire of the parents, pulled apart like rope in a tug of war and available as weapons for both sides. The likelihood of children developing psychopathology in such situations approaches the 100% level. <sup>15</sup>

Although this problem was recognized during legislative hearings on Senate Bill No. 188, <sup>16</sup> the statutes enacted do not address the problem or its resolution.

These consequences are particularly disturbing in light of recent studies which reveal that joint custody is not the panacea it was once thought to be. <sup>17</sup> As early as 1981, Joanne Schulman noted a shift in focus by courts making custody determinations:

The trend toward joint custody represents a significant change in legal

*Continued next page*



and mental health professional theories regarding child custody. Heretofore, stability and continuity in the child's family environment are the primary factors governing custodial determinations. However, under joint custody, the continued relationship between the child and the non-custodial parent becomes paramount.<sup>18</sup>

Schulman pointed out that this change was made without any reliable studies regarding the effects of joint custody on

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**Parents who cannot communicate well with one another or who are in active conflict are not likely to be good candidates for joint custody.**

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children.<sup>19</sup> Several years later, the data is pouring in, and the results are alarming.

Although both joint legal and physical custody have been criticized, joint physical custody appears to be the most problematic. As set forth by Lenore Weitzman, Ph.D., "Many professionals have challenged the appropriateness of the new legal preference for joint physical custody. They question both the advisability and the feasibility of such arrangements for all families."<sup>20</sup> Ms. Weitzman continues,

Instead, many professionals argue, most children need the security and stability of one home, and there is an especially strong opinion about this for young children.

Since joint custody requires an extraordinary level of cooperation, communication, and goodwill between parents, it is surprising to see courts ask this of parents who may still be antagonistic and who cannot - and do not wish to - cooperate on a daily basis. If these couples are pressured into a joint custody agreement, it may turn out to be a prescription for exacerbating and prolonging the tensions of divorce for children.<sup>21</sup>

Substantial literature supports Ms. Weitzman's concerns. For example, the late Professor Henry H. Foster, in his summary of the history of custodial law, stated that

Joint custody should be reserved for exceptional circumstances, such as where civilized parents generally agree as to what is for the best interests of the children and feel free to communicate regarding their welfare. Moreover, court ordered joint custody may be a "cop out" for a particular court that wishes to avoid a meticulous assessment of the facts of the individual case. A father's demand for sole or joint custody also may be part of an overall strategy in divorce litigation.<sup>22</sup>

Parents who cannot communicate well with one another or who are in active conflict are not likely to be good candidates for joint custody.<sup>23</sup>

A recent study conducted by the Center for the Family in Transition involving 100 children in various shared or sole custody post divorce arrangements found that children who had more frequent access to both parents after divorce were more emotionally troubled and behaviorally disturbed.<sup>24</sup>

In particular, the study revealed that children who shared more days each month with both parents were significantly more depressed, withdrawn and uncommunicative, had more somatic symptoms and tended to be more aggressive, according to the perceptions of their parents.<sup>25</sup> Other problems frequently cited include the danger of children seeing themselves as chattel, the subject of ongoing conflict over matters such as school, camp, bedtime, etc.; financial burdens of maintaining two households with adequate room and facilities for a complete family; the lack of finality and certainty that are essential results of litigation; and transformation of families in which one parent is the nurturing day-to-day parent and the other is the wage earner into families in which these roles are overlapping, confused and counterproductive.<sup>26</sup>

Although joint custody is certainly a viable alternative in appropriate cases, the presumption that it is in a child's best interests in every case must be reconsidered in light of these findings. Furthermore, the uncertainty of the presumption's intended application to joint physical as well as joint legal custody should be eliminated.<sup>27</sup> California, whose statute suffered from the same ambiguity,<sup>28</sup> recently eliminated the presumption from its joint custody statute.

The California Legislature added a section to its already existing statute on joint custody, which provides:

This section establishes neither a preference nor a presumption for or against joint legal custody, joint physical custody, or sole custody, but allows the court and the family the widest discretion to choose a parenting plan which is in the best interests of the child or children.<sup>29</sup>

California's amendment makes clear the legislature's intent to create a presumption for joint legal custody only in those cases where both parents agree that joint custody is in the best interests of a minor child.<sup>30</sup>

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The amendment, together with the legislative definitions of joint legal and physical custody,<sup>31</sup> eliminates a great deal of uncertainty, and removes the presumption which should be made only in uncontested cases.

## CONCLUSION

Nevada's joint custody statutes provide little guidance to trial courts faced with an extremely difficult decision regarding custody of children when their parents divorce. Furthermore, the statutory presumption that joint custody is in a child's best interests when both parents agree has been practically applied to all cases, despite the difficulties such a presumption imposes upon divorcing parents and their children. Recent studies on the implications of joint legal and physical custody should be considered by the Nevada Legislature in its re-examination of our joint custody statutes, and new statutory guidelines should be enacted.

# Notes

<sup>1</sup> See, S.B. No. 188, 61st Sess, Laws of Nev. Ch. 148, 283-84 (1981).

<sup>2</sup> As of 1982, the following states had introduced amendments to strengthen existing joint custody statutes: California, Connecticut, Kansas, Kentucky, Massachusetts, Minnesota, Nevada, Ohio, Oregon, and Texas. See, Schulman and Pitt, *Second Thoughts on Joint Child Custody: Analysis of Legislation and Its Implications for Women and Children*, 12 Golden Gate U.L. Rev. 538 (1982). In addition, as of 1984, more than thirty states had enacted some form of joint custody laws, most of which were enacted after 1980. Scott and Derdeyn, *Rethinking Joint Custody*, 45 Ohio St., L.J. 455, 456 (1984). It is ironic that Nevada became a leader regarding joint custody, given its slowness in abandoning the presumption for maternal custody. *Peavy v. Peavy*, 85 Nev. 571, 460 P.2d 110 (1969).

<sup>3</sup> See *infra* notes 20-25 and accompanying text.

<sup>4</sup> See, Cal. Civil Code § 4600 (West 1988 Supp.).

<sup>5</sup> See *infra* notes 8-12 and accompanying text.

<sup>6</sup> N.R.S. § 125.140 (1979).

<sup>7</sup> See, A.B. No. 265, 60th Sess, Laws of Nev. Ch. 269, 368 (1979).

<sup>8</sup> See, N.R.S. §§ 25.460, 125.480, 125.490, and 125.520.

<sup>9</sup> N.R.S. § 125.490 (emphasis added).

<sup>10</sup> This practical application of our joint custody statutes may be the result of the policy stated in S.B. No. 188 (subsequently incorporated in N.R.S. § 125.460), that it is the policy of this state "[t]o ensure that minor children have frequent associations and a continuing relationship with both parents after the parents have become separated or have dissolved their marriage."

The language of N.R.S. § 125.480 and § 125.490 is identical to the pre-1988 language of the California statutes regarding joint custody. See, Cal. Civil Code § 4600, interpreted to require the district court to give preference to joint custody. See, Schulman and Pitt, *supra* note 2, at 551 n. 66. This preference is contrary to the legislative intent, as evidenced by the Senate Judiciary Committee's rejection of an amendment to S.B. No. 188 which would have required a presumption of joint custody regardless of the parents' agreement in this regard. See, Selected Minutes from Hearing of Senate Committee on Judiciary, March 2, 1981.

<sup>11</sup> This expression was first used by Joanne Schulman

in her discussion of similar provisions found in other states. See, Schulman and Pitt, *supra* note 2, at 554 n. 75, for a thorough discussion of this subject.

<sup>12</sup> N.R.S. § 125.490 (emphasis added).

<sup>13</sup> *Taylor v. Taylor*, 500 A.2d 964 (Ct. App. Md. 1986), Brief of Amicus Curiae Women's Legal Defense Fund, Court of Appeals of Maryland, Sept. 1985, Appendix, C. 3; Schulman and Pitt, *supra* note 2, at 554-55.

<sup>14</sup> R. Gardner, *Family Evaluation in Child Custody Litigation* 241 (1982).

<sup>15</sup> *Id.*

<sup>16</sup> During the March 2, 1981, hearing of the Senate Committee on the Judiciary, Senator Melvin Close noted that in order to have an effective joint custody arrangement, the parents must be "very compatible." See, Minutes of Senate Comm. on Judiciary, March 2, 1981.

<sup>17</sup> See *supra* notes 20-25 and accompanying text.

<sup>18</sup> Schulman & Pitt, *supra* note 2, at 539 (footnotes omitted).

<sup>19</sup> *Id.* at 539-40.

<sup>20</sup> L. Weitzman, *The Divorce Revolution: The Unexpected Social and Economic Consequences for Women and Children in America* 247 (1985).

<sup>21</sup> *Id.* (footnotes omitted).

<sup>22</sup> Foster, *Child Custody in Divorce: A Lawyer's View*, 22 J. of the Am. Acad. of Child Psychiatry, 4:392-98 (1983).

<sup>23</sup> See, R. Gardner, *supra* note 14, at 240.

<sup>24</sup> Johnson, J.R., Kline, M., and Tschann, J.M., *Ongoing Post Divorce Conflict in Families Contesting Custody: Do Joint Custody and Frequent Access Help?* (Center for Family in Transition, 1988).

<sup>25</sup> *Id.*

<sup>26</sup> Skoloff, *Joint Custody, A Jaundiced View*, Trial, March, 1984, at 52.

<sup>27</sup> Although the California joint custody statute played a significant role in the drafting of our joint custody statutes in 1981, subsequent amendments to California's statute which clarify this ambiguity have not been followed in Nevada. For example, in 1983, California amended its statute to clarify and further define "joint custody." See, Cal. Civil Code § 4600.5(c)-(h) (West 1984 Supp.). Prior to the amendment, "joint custody" was defined as

an order awarding custody of the minor child or children to both parents and providing that physical custody shall

be shared by the parents in such a way as to assure the child or children of frequent and continuing contact with both parents; provided however, that such an order may award joint legal custody without awarding joint physical custody.

Cal. Civil Code § 4600.5 (1979). As a result of the amendments in 1983, California currently defines not only joint custody, but also, joint legal custody, sole legal custody, joint physical custody, and sole physical custody. See, Cal. Civil Code § 4600.5(d) (1)-(5) (West 1988 Supp.). In addition, California Civil Code § 4600.5 requires a district court to "specify the circumstances under which the consent of both parents is required to be obtained in order to exercise legal control of the child and the consequences of the failure to obtain mutual consent. . . ." Cal. Civil Code § 48000.5(e) (West 1988 Supp.).

<sup>28</sup> See *supra* note 27.

<sup>29</sup> Cal. Civil Code § 4600(d) (West 1988 Supp.). Several years earlier, in 1984, § 4600.5 was amended to redefine joint custody. See *supra* note 27.

<sup>30</sup> The legislature did not delete the provision in California Civil Code § 4600 which states that custody should be awarded to both parents jointly if both parents agree that joint custody is in the best interests of the minor child. See, Cal. Civil Code § 4600(b) (1) and § 4600.5(a) (West 1988 Supp.).

<sup>31</sup> See *supra* note 27 and accompanying text.

## SELECTED ADDITIONAL AUTHORITIES

E. Poll, *Parents Are Forever: Why Joint Custody Critics Are Wrong*, Family Law Newsletter, ABA Section of General Practice 4 (Springs 1988).

Foster and Freed, *Joint Custody: A Viable Alternative*, Trial (May 1979) pg. 27.

M. Norman and W. Haddad, *The Disposable Parent* (1978).

"Joint Custody, What Does It Mean, How Does it Work?"

Note, *Custody of Children After Their Parents Divorce*, 8 J. Fam. L. 58 (1968).

Zimmerman, *The Problems of Shared Custody*, California Lawyer 25 (May 1984).

## Legislative Report con't

these parents with assistance to obtain a tax intercept. (NRS 125B, NRS 31A)

**AB 3** authorizes the court to enter an order requiring a delinquent obligor to deposit assets with a trustee sufficient to cover all arrearages and one years ongoing child support. Prior to entering an order for the deposit of assets, the court must first find that the wage assignments available under Chapter 31A of NRS are insufficient to protect the person entitled to such support. (NRS 125B)

**AB 758** created an expedited process for establishing child support orders pertaining to children receiving state aid. An employee of the Welfare Division designated as the program chief, may make a finding of financial responsibility. If not contested at either the administrative hearing level or when filed with the court, this becomes a valid, enforceable child support order. Paternity of children receiving state aid may be established under the same process. (NRS 425)

**AB 247** allows continuous garnishment for 120 days pursuant to one writ. Employers who garnish properly are protected and those who do not may be punished. Garnishment for child support is given priority over writs based on non-support matters. (NRS 31)

**SB 454** adds "health care" to the enumerated parental duties set forth in NRS 125B.020.

Take a close look at all of these child support enactments. Some are quite lengthy and most cannot be understood with one cursory reading.

## COMMUNITY PROPERTY

**SB 11** repeals the "OOPS" provision formerly contained in NRS 125.161, which had been enacted by the 1987 Legislature to reopen military pensions which had been overlooked in previous divorces. SB 11 totally repeals that section. There is no longer any special treatment for overlooked military pensions.

**AB 296** - Nevada adopts the Uniform Premarital Agreements Act. This will be set out in Chapter 123A of Nevada Revised Statutes.

**AB 270** complements 1987 legislation which allowed spouses facing long-term



institutionalized health care to obtain a court decree dividing their assets without the necessity of a divorce decree. AB 270 adds the right of the parties to divide their property equally by agreement without court approval. A court order is still required to make any division between spouses which is other than equal. (NRS 123.259)

## ADOPTION

**AB 573** prevents the placement of a child with adoptive parents or guardians (usually the adoptive parents in disguise) until a valid release for or a consent to adoption is executed by the mother. Remember that mothers' consents cannot be executed for 72 hours after the birth of the child. This restriction does not apply to relatives within the third degree of consanguinity. This legislation also adds a requirement that prospective adoptive parents submit their fingerprints as part of the Welfare investigation. (NRS 127)

**AB 457** prohibits insurance companies from issuing policies of insurance which discriminate against an adopted child (NRS 689A, 695)

**AB 913** requires that a copy of the order waiving investigation and a copy of the decree of adoption be sent to Welfare within seven days of entry. (NRS 127.120, 127.150)

## CRIMINAL

**SB 388** expands the definition of felony parental kidnapping (NRS 200.359) to include the situation where no specific order has been entered, if the withholding of the

child is done with "intent to deprive" the other parent of custodial rights. There is an exception here for acts which are legitimate attempts to protect the child from abuse.

**AB 782** defines murder by child abuse as first degree murder. (NRS 200.030) This act also defines "substantial mental harm" for purposes of prohibiting child abuse or neglect.

**SB 315** extends the statute of limitations on child sexual abuse to the child's twenty-first birthday.

**AB 696** makes it a crime to enslave or sell a person.

## CHILD ABUSE

**AB 99** imposes legal responsibility, including a duty to report suspected child abuse, on persons providing day care or babysitting. A 24-hour reporting deadline is established. (NRS 432B)

**SB 472** creates a committee to define and make available the training necessary for persons who are required to report abuse or neglect. (NRS 432)

## JUVENILE

**AB 687** and **SB 23** are intended to increase the participation of parents in school and juvenile court matters. AB 687 protects employee parents who attend parent conferences or respond to school emergencies. SB 23 forbids employers to sanction parents or guardians who are required to appear in juvenile court. (NRS 392; NRS 62)

**SB 182** requires a person placing a child in protective custody to show his identification at the time of the taking of the child. (NRS 432B)

**AB 852** - Chapter 432 of NRS is amended to include a provision that parents of children placed with Welfare can be liable for the costs of such foster or institutional care.

## DOMESTIC VIOLENCE

**AB 69** directs a peace officer, in "a mutual battery" domestic violence situation, to determine who was the "primary physical aggressor" based on certain enumerated factors, including a person's domestic violence track record. (NRS 171.137)

**AB 70** directs that a peace officer provide victims of domestic violence with a full statement of legal rights and shelter locations. (NRS 171.137)

**AB 92** provides mandatory penalties for using violence in violation of an order for



protection against domestic violence. Minimum punishment includes at least five days in jail, an order for restitution to the victim, and an imposition of a fine of \$1,000 or a minimum of 100 hours of community work. Counseling will also be required. (NRS 33.100)

### MISCELLANEOUS

**AB 783** requires the court to consider the need to grant alimony to a spouse for the purpose of obtaining training or education relating to a job, career or profession. In addition to other factors, the court must consider, a) whether the spouse, who would pay such alimony, has obtained greater job skills or education during the marriage, and b) whether the spouse, who would receive such alimony, provided financial support

while the other spouse obtained job skills or education.

This alimony may include money to provide for job testing, career counseling, subsidization of employer's costs incurred in training the recipient (!), job hunting, and tuition, books and fees. (NRS 125.150)

**AB 663** tightens the requirements for petitions to compromise claims of minors to provide more scrutiny by the court and to require the establishment of "blocked trust accounts" with the proceeds. It requires annual accountings if the trust account exceeds \$10,000. (NRS 41.200)

**SB 237** creates a "board for the education and counseling of displaced homemakers" to provide employment, education and counseling. It authorizes a \$15.00 fil-

ing fee increase, and currently applies only to counties having a population in excess of 250,000. (NRS 388)

**AB 363** creates a state drug czar.

**AB 435** allows local regulation of child care facilities having fewer than five children. (NRS 432A)

**SJR 24** proposes an amendment to Section 6 of Article 6 of the Nevada Constitution to authorize the establishment of a family court. This is as far as the Legislature got on this issue. However, they will be spending the next year trying to come up with a plan for the format, make up and responsibilities of a family court. Make your opinions known.

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- Bill Hilton of Santa Clara, California (The Expert) on UCCJA
- Pat Lasher of Texas on trial organization and the trial notebook
- Diane Vaughan of Boston, Massachusetts, on the Psychological Timing of Divorce
- David Walther of Santa Fe, New Mexico, on the Ethical Issues of Divorce
- Nevada family law specialists present three hours of discussion on attorney fees including negotiating fee contracts, reaching the fee agreement with the client, and presenting the fee agreement in court



The Section anticipates the availability of ten hours of continuing legal education credit. Watch for a registration packet and register early to take advantage of the early registration discount.

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