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Domestic Relations; Aid to Victims of Domestic Violence

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Domestic Relations; paternity actions

N.R.S. §126.— (new); §§126.081, 126.101, 126.171, 126.381 (amended).

SB 251 (Committee on Judiciary); STATS 1981, Ch 660

Existing law states that an action to determine paternity is a civil action governed by the Nevada Rules of Civil Procedure.¹ Chapter 660 clarifies that in paternity actions to determine the existence or nonexistence of a father and child relationship² every person not already a party to the action that is identified as the natural father or as a possible natural father must receive notice of the proceeding.³ Personal jurisdiction can be acquired by personal service within the state,⁴ or by registered mail with proof of actual receipt,⁵ or by personal service outside the state if an act of sexual intercourse is committed within the state and it is possible that the act may have conceived the child who is the subject of the action.⁶ Chapter 660 also provides that if a person is alleged or presumed to be the father or claims to be the father and the proceeding is to determine that he is *not* the father, he either may be personally served outside of the jurisdiction⁷ or be served by publication if his residence is unknown or if he is beyond the jurisdiction of the court.⁸ A natural mother must receive notice of the action in a manner prescribed by the court.⁹

1. See N.R.S. §126.151 1.

2. See *id.* §126.021 3 (definition of parent and child relationship).

3. See *id.* §126.— 1. Compare *id.* with 9A UNIFORM LAWS ANNOTATED, *Matrimonial, Family and Health Laws*, §9, at 599-600 (1979).

4. See N.R.S. §126.— 1; NEV. R. CIV. P. 4(d)(6).

5. N.R.S. §126.091 2.

6. *Id.*

7. See *id.* §126.— 2; NEV. R. CIV. P. 4(e)(2).

8. See N.R.S. §126.— 2; NEV. R. CIV. P. 4(e)(1), (i).

9. N.R.S. §126.— 3.

Domestic Relations; aid to victims of domestic violence

N.R.S. §§217.— 217.— (new); §122.060 (amended).

SB 371 (Wagner); STATS 1981, Ch 198

Chapter 198 authorizes the creation of county advisory boards on domestic violence¹ and grants of financial support to organizations offering assistance to victims of domestic violence² and their dependent

1. N.R.S. §217.— 1.

2. *Id.* §217.—.

children.³ Domestic violence within the purview of the assistance program includes causing or attempting to cause bodily injury to a family or household member,⁴ or placing the member in fear of imminent physical harm.⁵

Chapter 198 requires each Board of County Commissioners to create an advisory board, or to designate an existing county board that advises on social services, to serve as an advisory board on domestic violence.⁶ Chapter 198 also provides for the establishment of county funds for assistance to victims of domestic violence.⁷ A board of county commissioners may award money from this fund, after consultation with the county advisory board, to organizations that provide services within the county for victims of domestic violence.⁸ To be eligible for a grant an applicant must be a nonprofit corporation incorporated or qualified in Nevada,⁹ governed by a board of trustees that reflects the social and economic composition of the county,¹⁰ receiving at least fifteen percent of its finances from non-government sources,¹¹ and having at least one trustee that is a former victim of domestic violence.¹² In addition, Chapter 198 conditions eligibility on the applicant's ability to provide certain services, including shelter, telephone service, food preparation facilities, counseling,¹³ and assistance in obtaining legal, medical, psychological, and vocational help.¹⁴ An applicant also must provide education and training for community members on matters related to domestic violence.¹⁵ These services must be provided exclusively for residents of Nevada,¹⁶ without any discrimination based upon race, religion, marital status, or age.¹⁷ In addition, Chapter 198 provides that any information identifying persons who receive the services must be kept strictly confidential.¹⁸

3. *Id.* §217.— 4.

4. *See id.* §217.— 3 (definition of family or household member).

5. *Id.* §217.— 2.

6. *See id.* §217.— *See generally id.* §217.— (qualifications for board members).

7. *Id.* §217.— 2. *See also id.* §217.— (supplemental grants).

8. *Id.* §217.— 3(a). *See also id.* §217.— 3(b) (interlocal agreements).

9. *Id.* §217.— 1.

10. *Id.* §217.— 2.

11. *Id.* §217.— 3.

12. *Id.* §217.— 2.

13. *Id.* §217.— 7(d).

14. *Id.* §217.— 7.

15. *Id.* §217.— 7(f).

16. *Id.* §217.— 4. *See also* *Shapiro v. Thompson*, 394 U.S. 618 (1969); *Starns v. Malkerson*, 326 F. Supp. 234, 237, *aff'd* 401 U.S. 985 (1970); *Osträger v. State Board of Control*, 99 Cal. App. 3d 1, 7, 160 Cal. Rptr. 317, 321 (1979) (constitutionality of residency requirement).

17. *Id.* §217.— 6.

18. *Id.* §217.— 5.