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## Domestic Relations; termination of parental rights-notice requirements

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# Domestic Relations

## Domestic Relations; sale of marriage certificates

NEV. REV. STAT. § 440.\_\_\_\_ (new).  
AB 101 (Banner); 1987 STAT. Ch 41

Existing law requires a person to obtain a license prior to marriage.<sup>1</sup> Chapter 41 prohibits any person from selling or offering to sell<sup>2</sup> a marriage certificate<sup>3</sup> for profit.<sup>4</sup> Pursuant to Chapter 41, the court may enjoin any person from such activity.<sup>5</sup> Violations may be prosecuted by the Attorney General or by the state registrar or county recorder.<sup>6</sup>

*MVY*

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1. NEV. REV. STAT. § 122.040 1.
  2. 1987 Nev. Stat. ch. 41, sec. 2, at \_\_\_\_ (enacting NEV. REV. STAT. § 440.\_\_\_\_) (each sale or offer to sell constitutes a separate violation).
  3. NEV. REV. STAT. § 122.120 (contents of a certificate of marriage).
  4. 1987 Nev. Stat. ch. 41, sec. 2, at \_\_\_\_ (enacting NEV. REV. STAT. § 440.\_\_\_\_) (violations are misdemeanors). See NEV. REV. STAT. § 122.060 (fees collectible by the county recorder).
  5. 1987 Nev. Stat. ch. 41, sec. 3, at \_\_\_\_ (enacting NEV. REV. STAT. § 440.\_\_\_\_).
  6. *Id.*

## Domestic Relations; termination of parental rights—notice requirements

NEV. REV. STAT. §§ 128.060, 128.070, 128.080 (amended).  
SB 116 (Committee on Judiciary); 1987 STAT. Ch 57

Under existing law, a petition alleging that a child<sup>1</sup> should be declared free from the custody<sup>2</sup> and control of the parents<sup>3</sup> may be

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1. NEV. REV. STAT. § 128.0124 (definition of child).
  2. *Id.* § 125A.040 9 (definition of physical custody).
  3. See generally *id.* § 126.241 (obligations parents owe child).

## *Domestic Relations*

filed in the county where the child is found, the county where the acts complained of occurred, or in the county where the child resides.<sup>4</sup> Furthermore, the father, mother, or nearest known relative of the minor person must be personally served with a notice<sup>5</sup> reciting the substance of the petition and requiring that the person appear before the court.<sup>6</sup> With the enactment of Chapter 57, the minor's legal guardian<sup>7</sup> or custodian<sup>8</sup> must also be personally served if the guardian or custodian resides in Nevada and if their place of residence is known to the petitioner.<sup>9</sup>

*JTM*

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4. *Id.* § 128.030. The state welfare administrator of the welfare division of the Department of Human Resources, a probation officer, or any other person, including the mother of an unborn child, may file a petition with the clerk of the court. *Id.* § 128.040. The probation officer of that county or agency or a person designated by the court must make investigations as directed by the court. *Id.* A petition must be verified and must set forth the following: (a) The facts that bring the child within the purview of this chapter; (b) the name, age, and residence of the child; (c) the names and residences of the parents; (d) the name and residence of the person or persons having physical custody or control of the child; (e) the name and residence of the legal guardian, if there is one; and (f) the name and residence of the child's nearest known relative residing within the State, if no parent or guardian can be found. *Id.* § 128.050 2. If the petitioner is the mother of an unborn child, the petition must also state the name and residence of the father. *Id.* § 128.050 4.

5. *See id.* § 128.080 (amended by 1987 Nev. Stat. ch. 57, sec. 3, at \_\_\_) (form of notice).

6. *Id.* § 128.060 2 (amended by 1987 Nev. Stat. ch. 57, sec. 1, at\_\_\_). If the parents do not live within the state or if their place of residence is unknown to the petitioner, then the nearest known relative of the person residing in the state must be personally served. *Id.*

7. *See id.* § 159.017 (definition of guardian).

8. *See id.* § 167.020 7 (definition of custodian).

9. 1987 Nev. Stat. ch. 57, sec. 1, at \_\_\_ (amending NEV. REV. STAT. § 128.060 2).

## **Domestic Relations; division of community property**

NEV. REV. STAT. § 123.\_\_\_\_ (new); § 123.220 (amended).

AB 456 (Kissam); 1987 STAT. Ch 434

Existing law provides for the division of community property<sup>1</sup> by

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1. NEV. REV. STAT. § 123.220 (amended by 1987 Nev. Stat. ch. 434, sec. 2, at \_\_\_) (definition of community property).