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Domestic Relations; emancipation of minors

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whether the child has previously resided with the relative for three or more years.¹⁴

JTM

14. 1987 Nev. Stat. ch. 532, sec. 4, at ___ (amending NEV. REV. STAT. § 432B.550) (before the incident which brings the child to the attention of the court).

Domestic Relations; emancipation of minors

NEV. REV. STAT. § 129.____ (new); §§ 12.080, 41.200, 129.010, 201.015 (amended).

AB 599 (Humke); 1987 STAT. Ch 552

Chapter 552 entitles minors¹ to petition² the court³ for a decree of emancipation.⁴ If emancipation is granted,⁵ the minor is considered an adult⁶ and the support obligations otherwise owed by a parent or

1. 1987 Nev. Stat. ch. 552, sec. 2, at ___ (enacting NEV. REV. STAT. § 129.____) (minors 16 years of age or older who are either married or living separately from parents or guardian).

2. *Id.* sec. 3, at ___ (enacting NEV. REV. STAT. § 129.____) (the petition is to contain information pertinent to the grant of declaration of emancipation). *See id.* sec. 5, at ___ (enacting NEV. REV. STAT. § 129.____) (the court will issue notice of the petition to the parents, guardian, or legal custodian of the minor, and the district attorney of the county in which the petition is to be heard).

3. *Id.* sec. 2, at ___ (enacting NEV. REV. STAT. § 129.____) (the juvenile division of the County District Court).

4. *Id.* sec. 8, at ___ (enacting NEV. REV. STAT. § 129.____) (judicial emancipation is in addition to other methods of emancipation provided by statute or common law). Common types of emancipation include marriage and enlistment in the military. Katz, Schroeder, and Sidman, *Emancipating Our Children—Coming of Legal Age in America*, 7 FAM. L. Q. 211, 217 (1973). A decree emancipates the minor for all purposes and removes the disability of minority with regard to contractual obligations, litigation and settlement of controversies, acquisition of property interests, consent to medical care, enrollment in any school or college, and the establishment of a residence. 1987 Nev. Stat. ch. 552, sec. 7, at ___ (enacting NEV. REV. STAT. § 129.____).

5. The court has discretion to decide whether the petition for emancipation should be granted. 1987 Nev. Stat. ch. 552, sec. 6, at ___ (enacting NEV. REV. STAT. § 129.____). The court may request records of public and private agencies in considering the petition for emancipation. *Id.* The court will also consider whether the parent or guardian has consented to emancipation and whether the minor is able to financially support himself or herself. *Id.* Further, the court will also consider whether the minor is sufficiently mature and knowledgeable to manage the minor's own affairs, and whether emancipation is in the minor's best interests. *Id.* (the court will advise the minor petitioner of the consequences of emancipation).

6. *Id.* sec. 7, at ___ (enacting NEV. REV. STAT. § 129.____) (emancipation does not affect drinking age, gaming, marriage, or other regulation of conduct based upon age). *See Nev.*

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guardian are terminated.⁷ A petition to void a decree of emancipation may be filed if the minor has become indigent or the decree was obtained by fraud, misrepresentation, or by withholding material information.⁸

WSY

REV. STAT. § 129.010 (amended by 1987 Nev. Stat. ch. 552, sec. 9, at ___) (emancipated persons are capable of entering into a valid contract).

7. 1987 Nev. Stat. ch. 552, sec. 7, at ___ (enacting NEV. REV. STAT. § 129.____).

8. *Id.* (voiding a decree of emancipation does not alter any contractual obligations or rights or interests which arose while the decree was in effect).

Domestic Relations; child custody

NEV. REV. STAT. § 125.____ (new); § 125.510 (amended).

AB 874 (Committee on Judiciary); 1987 STAT. CH 601

Existing law provides that upon dissolution of marriage or at any time during minority,¹ the court must award custody of a minor child based solely on the best interest of the child.² Chapter 601 requires a parent with individual or joint custody of a child to secure the permission of the other parent or of the court prior to moving the child out of the state.³ According to Chapter 601, the moving parent must first attempt to obtain the written consent of the other parent.⁴ The moving parent may petition the court for permission to move the child if the other parent refuses to give consent.⁵ When the noncustodial parent or other parent having joint custody requests a change of custody, the court may consider one parent's failure to comply with the provisions of Chapter 601 when determining the best interest of the child.⁶

AH

1. NEV. REV. STAT. § 129.010 (definition of age of majority).

2. *Id.* § 125.480 (determining custody upon dissolution of marriage). *See also id.* § 125.510 (providing for modification of a previous custody order).

3. 1987 Nev. Stat. ch. 601, sec. 1, at ___ (enacting NEV. REV. STAT. § 125.____).

4. *Id.*

5. *Id.*

6. *Id.* *See also* NEV. REV. STAT. § 125.480 (in determining custody, sole consideration is best interest of child). *See also id.* § 125.510 1(b) (the court may, at any time, modify or vacate an order determining the custody of a minor child).