

EMANCIPATION

EM

Resource Center
1 South Sierra St., Third Floor
Reno, NV 89501
775-325-6731
www.washoecourts.com

IMPORTANT

Emancipation is a serious legal step that changes your legal status. If you are emancipated your parent(s) or your guardian(s) will no longer be responsible for you and you will no longer be responsible to them.

Emancipation does not mean that you become a legal adult for all purposes. For instance, even if emancipated, a minor cannot quit school prior to being 17 years old; cannot gamble; cannot get married without a parent's consent; cannot work in a casino; cannot buy liquor, wine or cigarettes or take part in anything that, by statute, requires someone to be a certain age. Once emancipated you can legally enter into contracts such as an apartment lease, however, many landlords and other businesses will still not enter into contracts with anyone under the age of 18 years.

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**EMANCIPATION
(PACKET EM)**

USE THIS PACKET ONLY IF THE FOLLOWING STATEMENTS ARE TRUE:

- You are 16 years or 17 years old.
- You are married or living apart from your parents or legal guardians.
- You are a resident of Washoe County.

INSTRUCTIONS FOR COMPLETING FORMS

CAREFULLY READ ALL INSTRUCTIONS BEFORE STARTING TO FILL OUT ANY OF THE FORMS.

Use **black or blue ink only**. Neatly print or type the information requested.

Do not use correction fluid/tape on the forms.

This packet contains the following forms:

1. eFile User Agreement (Standard)
2. Emancipation Checklist
3. Petition for Emancipation
4. Consent for Emancipation
5. General Financial Disclosure
6. Notice
7. Declaration of Personal Service

The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00. N.R.S. §199.145.

INSTRUCTIONS: STEP 1


eFlex Account and eFile User Agreement:

To file your documents, you will need to sign up for an eFlex account and have a valid email address. There is no fee to sign up for a standard eFlex account. If you already have an eFlex account for a different case, you do not need to create another account and can skip this step.

To sign up:

- 1) Carefully read and complete the eFile User Agreement (Standard) by filling in as much information as possible, signing, and dating page two;
- 2) Return the eFile User Agreement (Standard) to the Second Judicial District Court, or email it to eflexsupport@washoecourts.us; and
- 3) Request an account at <https://wcefex.washoecourts.com/>.

SECOND JUDICIAL DISTRICT COURT



WASHOE COUNTY
STATE OF NEVADA

**EFILE USER AGREEMENT
(Standard)**

This serves as your eFile User Agreement with the Second Judicial District Court for the purpose of registering an account to permit eFiling of court case documents using the eFlex Electronic Filing System (eFlex acct). Currently, this account will be subject to a \$0.00 fee per transaction. This agreement will expire at the end of the year unless the account is renewed. Accounts may be renewed online at www.washoecourts.com.

By registering for an eFlex account I agree and consent to the following:

- I will submit court filings electronically through eFlex on court cases for which I am an active party or attorney of record, or an officer of the Court filing documents in my official capacity.
- As a registered eFlex account holder, I cannot deactivate my email address without filing a Written Notice of Intent to change my email address with the District Court. This Written Notice of Intent must include my bar number and a list of all pending court matters. Also included must be an acknowledgment that all parties and attorneys of record on those pending matters have been notified of my new email address. I understand that it is my responsibility to keep my email address updated on my eFlex account profile.
- I understand that once my eFlex account is deactivated, I will no longer be able to electronically eFile any documents using my account and I will not receive eFlex electronic service. Furthermore, I will no longer have access to court records through my eFlex account.
- Electronic signatures (e.g. /s/) are permissible on electronically filed documents submitted from the eFlex account. (See Nevada Electronic Filing and Conversion Rules, Rule 11).
- I will accept eFlex electronic notices sent to my email on file with eFlex as valid and effective service of eFiled documents replacing the need for paper service. Electronic service of documents is limited to documents permitted to be served by mail, express mail, overnight delivery, or facsimile transmittal, complaint, petition or other document that must be served with a summons, and summons or a subpoena cannot be served electronically.
- I agree to the terms of the license agreement as stated by Cyber on the court's eFlex website under "use" and "privacy policy" when registering for an eFlex account and pressing the submit button.
- I understand that email addresses supplied by the registered user via the username/password account through "eFlex Account" supersede the court's case management system for the purpose of determining valid and effective service of eFiled documents. I understand that it is my responsibility to keep my address updated on my eFlex account profile.
- I agree to file the proper motion to withdraw/notice of change/substitution of counsel/notice of termination (whatever applies) into each of my cases whenever I depart from an agency, office, or law or cease to represent a party in any case, or cease to be an eFlex user **within 10 days of any such change**. If known, I will designate the new attorney and/or e-File contact on each case. Further, I will separately notify the Clerk of Court of any employment change which will globally affect all or a majority of my cases.

Revised September 26, 2018

- I acknowledge receipt, understanding and agree to follow the Nevada Electronic Filing and Conversion Rules (EFCR).
- I understand if a party submits a proposed Order and the Order is eFiled by the Court, **ONLY** eFlex account holders will be served by the Court. I understand all other parties must be served by the party who submitted the proposed Order by other means.
- I understand as a registered eFlex account holder, I will only have access to documents in court cases for which I am an active party or attorney of record. In the event that I inadvertently obtain access to unauthorized information on any case, I will immediately notify the Court Administrator/Clerk of Court/residing judicial officer and all active attorneys on that specific case. I will take every precaution to shield myself and all members of my firm from viewing, downloading or disseminating any unauthorized information. I will delete and destroy immediately any unauthorized information that I inadvertently obtain.
- I understand any violation of the terms of this agreement may result in sanctions imposed by the Court.

Attorney or Person Name: _____
 If an attorney, Bar ID: _____ Law Firm: _____
 If not an attorney, DOB: _____ Interpreter needed: Yes or No Language: _____
 If not an attorney, Case number(s): _____
 eFlex Email Address: _____
 1st Alternate eFlex Email Address: _____
 2nd Alternate eFlex Email Address: _____
 Mailing Address: _____
 City: _____ State: _____ Zip Code: _____
 Phone Number: _____ Fax Number: _____
 Designated eFlex contact person: _____

I hereby certify that I have read the above information and agree to abide by the requirements and terms as stated in this agreement.

Date: _____ Signature of Attorney/Person Agency Signatory: _____

Check one:
 Renewal of Standard Account (follow online instructions at <http://www.washoecourts.com/index.cfm?pageno=eflex>)
 New Standard Account

To become a registered eFlex account holder, you must request an account online at <https://wcefex.washoecourts.com> and click on the "Request an Account" button. Next, print out this form, complete and sign it and deliver the ink-signed copy to the Second Judicial District Court Filing Office, 75 Court Street, Reno, NV 89501. Upon completion of your account request **AND receipt of the signed eFile User Agreement**, your electronic request for a user account will be approved. You will be notified by email and be able to login with your user name and requested password within three (3) working days.

Translated/interpreted by (if applicable): _____ Print Name _____ Signature _____

Revised September 26, 2018

If you need further assistance signing up for an account, please call the Resource Center at 775-325-6731.

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INSTRUCTIONS: STEP 2

Complete the Emancipation Checklist as Shown:

This document is not filed with the court.

1) Review the Emancipation Checklist and answer all the questions.

2) Review your answers and follow the instructions. If you qualify for emancipation, continue to the petition.

EMANCIPATION CHECKLIST

- A. YES –OR– NO I am at least 16 or 17 years of age.
- B. YES –OR– NO I am currently attending school or I have been excused from attending High School pursuant to NRS 392.040 through NRS 392.125.
- C. YES –OR– NO I am managing my own financial affairs and can provide a budget and receipts to show how I manage my finances.
- D. YES –OR– NO I am married.
- E. YES –OR– NO My parents or my legal guardian(s) allow me to live apart from them.
- F. YES –OR– NO I am presently living apart from my parent(s) or legal guardian(s).
- G. YES –OR– NO I do not have any income from criminal activities.

If question A is answered “No”, judicial emancipation is not possible in Nevada.

If A is answered “Yes”, but one or more of the remaining questions are answered “No”, then you should seek the assistance of a private attorney or attend the Family Law Lawyer in the Library Program. The Family law Lawyer in the Library program is on Tuesday evenings in the Law Library at 75 Court Street. Please arrive by 4:25 p.m. to participate. The program is limited to 10 participants each evening.

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INSTRUCTIONS: STEP 3

Complete the Petition for Emancipation as Shown:

1) Print your name, address, telephone number and email address.

2) Print your name. When you file your petition, you will receive a Case No. and Dept. No.

3) Complete pages 1-4 following the instructions on each page.

1	Code: 3518
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	IN THE FAMILY DIVISION
8	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9	IN AND FOR THE COUNTY OF WASHOE
10	In the Matter of Emancipation of:
11	_____
12	(Name) A Minor. Case No. _____
13	_____ Dept. No. _____
14	
15	<u>PETITION FOR EMANCIPATION</u>
16	
17	I petition this Court for a Decree of Emancipation pursuant to NRS 129.080. et seq.
18	
19	1. I am _____ years old and was born on _____.
20	(Your age) (Date of Birth)
21	2. I am a resident of Washoe County and have been living at _____
22	(Your address)
23	_____ for _____
24	(How long at address)
25	3. My <input type="checkbox"/> MOTHER -OR- <input type="checkbox"/> FATHER is _____
26	(Name of Parent)
27	and lives at _____
28	(Address of Parent)
	My <input type="checkbox"/> MOTHER -OR- <input type="checkbox"/> FATHER is _____
	(Name of Parent)
	and lives at _____
	(Address of Parent)
	REV 11/2018 CJ 1 PETITION FOR EMANCIPATION

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INSTRUCTIONS: STEP 4

Complete this step only if your Mother, Father, or Legal Guardian is in agreement with the emancipation. If you are the Mother, Father, or Legal Guardian you must fill out the Consent for Emancipation. If this does not apply, skip to Step 6.

Complete the Consent for Emancipation as Shown:

1) If you are the Mother, Father, or Legal Guardian, print your name, address, telephone number and email address.

2) Print the minor's name. Print the Case No. and the Department No. just as they appear on all other forms in this case.

3) Check the boxes that apply to you.

4) Print the date, sign and print your name.

1	Code: 1475
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	
8	IN THE FAMILY DIVISION
9	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
10	IN AND FOR THE COUNTY OF WASHOE
11	In the Matter of Emancipation of:
12	_____ (Name) A Minor. Case No. _____
13	_____ Dept. No. _____
14	
15	<u>CONSENT TO EMANCIPATION</u>
16	
17	I am the Petitioner's <input type="checkbox"/> MOTHER -OR- <input type="checkbox"/> FATHER -OR- <input type="checkbox"/> LEGAL GUARDIAN
18	and do hereby give my full and free consent to the emancipation of the Petitioner. I request this
19	Court grant the relief requested in the Petition for Emancipation.
20	This document does not contain the personal information of any person as defined
21	by NRS 603A.040.
22	
23	I declare under penalty of perjury under the law of the State of Nevada that the foregoing is
24	true and correct.
25	Date: _____ Your Signature: _____
26	Print Your Name: _____
27	
28	
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	CONSENT FOR EMANCIPATION

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INSTRUCTIONS: STEP 5

Complete the General Financial Disclosure as Shown:

1) Print your name, address, telephone number and email address.

2) Print your name. Print the Case No. and the Department No. just as they appear on all other forms in this case.

3) Answer all of the questions on each page of the form. There is a total of seven pages that need to be completed.

MISC
Name: _____
Address: _____
Phone: _____
Email: _____

Second Judicial District Court
Washoe County, Nevada

In the Matter of Emancipation: _____ (Name) A Minor.	Case No. _____ Dept. No. _____
--	-----------------------------------

GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:

1. What is your full name? (*first, middle, last*) _____
2. How old are you? _____
3. What is your date of birth? _____
4. What is your highest level of education? _____

B. Employment Information:

1. Are you currently employed/ self-employed? (check one)

No
 Yes If yes, complete the table below. Attached an additional page if needed.

Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)

2. Are you disabled? (check one)

No
 Yes If yes, what is your level of disability? _____
What agency certified you disabled? _____
What is the nature of your disability? _____

C. Prior Employment: If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: _____ Date of Hire: _____
Date of Termination: _____ Reason for Leaving: _____

Page 1 of 7

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INSTRUCTIONS: STEP 6

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wceflex.washoecourts.com/>, in the Law Library and the Resource Center.

If you have not done so, you will need to sign up for an eFlex account and turn in the EFile User Agreement (*see INSTRUCTIONS: STEP 1*), to the Second Judicial District Court, or email to eflexsupport@washoecourts.us.

Sign into your eFlex account using the username and password you created and electronically file the:

- Petition for Emancipation;
- Consent for Emancipation; and
- General Financial Disclosure form.

Make sure to keep the original documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available at the Law Library and the Resource Center.

There may be a filing fee charged when documents are filed. Fee information is available at the Resource Center online at: www.washoecourts.com.

FILING FEE WAIVERS

If you cannot afford the filing fee, you may apply to have your filing fee waived. To apply, you must fill out and file the application found in the **Application for Waiver of Fees and Costs packet**, which may be obtained at the following locations:

- Resource Center, 1 South Sierra Street, Reno, NV, Third Floor
- Law Library, 75 Court Street, Reno, NV, First Floor
- Online at: www.washoecourts.com (select the “Forms & Packets” tab on the top right hand side of the home screen)

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INSTRUCTIONS: STEP 7

Complete the Notice as Shown:

Take this notice to the Resource Center at 1 South Sierra Street, Reno, Nevada, 89501. Court staff will assist you with issuing the notice. You must provide a copy of the petition and notice to everyone listed on the notice.

1) Print your name, address, telephone number and email address.

2) Print your name. Print the Case No. and the Department No. just as they appear on all other forms in this case.

3) Print the following names if applicable:

- Your parent(s);
- Your legal custodian;
- Your legal guardian(s)
- If you cannot find your parent(s)/legal guardian(s), your nearest known living relative residing within Nevada; and
- If you are on probation or parole, the officer assigned to your case.

4) Leave page 2 (not shown) blank. A court employee will fill it out.

1	Code: 2550
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self Represented Litigant
7	IN THE FAMILY DIVISION
8	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9	IN AND FOR THE COUNTY OF WASHOE
10	In the Matter of Emancipation of:
11	_____
12	(Name) A Minor Case No. _____
13	_____ Dept. No. _____
14	<u>NOTICE</u>
15	TO: Parent of the Minor: _____
16	Parent of the Minor: _____
17	Washoe County District Attorney's Office
18	
19	<i>The following must be filled in only if appropriate in your particular case. If the information is not appropriate in your circumstances, print N/A in the spaces.</i>
20	Legal Custodian(s) of the Minor: _____
21	Legal Guardian(s) of the Minor: _____
22	Nearest Known Relative in Nevada: _____
23	Probation or Parole Officer of the Minor: _____
24	
25	//
26	//
27	//
28	
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	1
	NOTICE OF HEARING

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INSTRUCTIONS: STEP 8

Serving the Documents:

Everyone listed on the notice must be personally served with the documents at least 21 days before the hearing. **PERSONAL SERVICE CANNOT BE COMPLETED BY YOU.**

The Declaration of Personal Service must be completed by the person who served the documents and the Declaration of Personal Service must be filed electronically in this case (*see INSTRUCTIONS: STEP 9*).

If you cannot locate any of the people listed on the Notice, please contact the Resource Center at 775-325-6731 for further information.

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INSTRUCTIONS: STEP 9

Complete the Declaration of Personal Service as Shown:

The person who completes service must fill out the declaration and sign it. It is your responsibility to file the original declaration of personal service with the court after service is completed.

A separate Declaration of Personal Service has to be filled out for each person served with the Petition of Emancipation and Notice of Hearing. Two forms are provided for you in this packet.

1) Print your name, address, telephone number and e-mail address.

2) Print the minor's name. Print the Case No. and the Department No. just as they appear on all other forms in this case.

3) Check the correct box(es) to indicate who served the document(s), how the document(s) were served, which document(s) were served, and where and when the document(s) were served.

4) The person who Completed service must sign and date this document.

1	Code: 1520
2	Name: _____
	Address: _____
3	Telephone: _____
4	Email: _____
	Self-Represented Litigant <input type="checkbox"/>
5	
6	IN THE FAMILY DIVISION
7	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8	IN AND FOR THE COUNTY OF WASHOE
9	
10	In the Matter of Emancipation of:
11	_____
12	(Name) A Minor Case No. _____
13	_____ Dept. No. _____
14	
15	<u>DECLARATION OF PERSONAL SERVICE</u>
16	(To be filled out and signed by the person who served the Defendant or Respondent.)
17	I, _____, declare:
	(Name of person who completed service)
18	1. I am not a party to this action and am over 18 years of age.
19	2. I am not a licensed process server. I am a natural person serving legal process without
20	compensation, not more than three times per year, on behalf of a litigant who is a natural
21	person, and therefore I am not required to be licensed pursuant to NRS 648.063(2).
22	3. I was able to complete service.
23	4. I personally delivered and left the document(s) with:
24	<input checked="" type="checkbox"/> <u>The person to the case.</u> I served the document(s) on the party at the location below.
25	_____
26	(Name of person served)
27	_____
28	(Street Address, City, State, and Zip Code of where served)
	REV 6/2018 JCB 1 DECLARATION OF PERSONAL SERVICE

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INSTRUCTIONS: STEP 10

The Hearing:

Arrive approximately 15 minutes prior to your scheduled time for your hearing. Go to the third floor and check in with the clerk at the front counter.

When your case is called, enter the courtroom and take a seat at the table on your right.

The judge will have questions for you. If the emancipation is granted, the judge will issue an order granting the emancipation.

Legal Assistance

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or contact the Resource Center. **The Resource Center cannot give legal advice** but can give information regarding court procedures.

You may also wish to speak with a family law lawyer at no cost through the Law Library's "Lawyer in the Library" program, or to seek assistance from other free or reduced-cost legal resources in the area, to include:

LAWYER IN THE LIBRARY

For information contact the Law Library at 775-328-3250.

<https://w.washoecourts.com/LawLibrary>

NEVADA LEGAL SERVICES

204 Marsh Avenue Reno, NV 89509
(775) 284-3491– leave message if necessary

<https://nlslaw.net>

WASHOE LEGAL SERVICES

299 S. Arlington Avenue Reno, NV 89501
(775) 329-2727– leave message if necessary

www.washoelegalservices.org