

## PETITION TO EMANCIPATE A MINOR

### EXPLANATION OF PETITION TO EMANCIPATE A MINOR

If a child wants to legally become an adult, he/she can ask the court to grant that request. The request is made by filing a Petition for Emancipation and other documents. If the request for emancipation is granted, the child will have to support himself/herself, can be held responsible for any contracts and debts he/she may incur, etc.

### YOU CAN USE THIS PETITION TO EMANCIPATE A MINOR, IF:

- You are the person who wants to be emancipated;
- You are at least 16 years old;
- You are a resident of White Pine County
- You are married or are living apart from your parents or legal guardian.

INSTRUCTIONS FOR PETITION TO EMANCIPATE A MINOR

\* \* \* IMPORTANT DISCLOSURE \* \* \*

THIS INFORMATION IS PROVIDED AS A COURTESY ONLY. WHITE PINE COUNTY, THE SEVENTH JUDICIAL DISTRICT COURT, THE CLERK'S OFFICE AND THEIR EMPLOYEES SHALL NOT BE LIABLE FOR ERRORS CONTAINED HEREIN OR FOR DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH THE FURNISHING OF THIS MATERIAL.

MANY FAMILY LAW MATTERS INVOLVE COMPLEX AND VALUABLE LEGAL RIGHTS. THESE FORMS AND INSTRUCTIONS ARE BASIC, GENERAL FORMS, AND MAY NOT FIT ALL SITUATIONS. SOME RIGHTS CANNOT BE ADEQUATELY PROTECTED WITHOUT THE ASSISTANCE OF AN ATTORNEY. YOU SHOULD CONSULT WITH AN ATTORNEY BEFORE YOU ATTEMPT TO USE SELF-HELP.

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I. EXPLANATION

A. Explanation of a Petition to Emancipate a Minor:

If a child wants to legally become an adult, he/she can ask the court to grant that request. The request is made by filing a Petition for Emancipation and other documents. If the request for emancipation is granted, the child will have to support himself/herself, can be held responsible for any contracts and debts he/she may incur, etc.

B. You can use this Petition to Emancipate a Minor if:

- You are the person who wants to be emancipated;
- You are at least 16 years old;

- You are a resident of White Pine County, Nevada;
- You are married or are living apart from your parents or legal guardian.

C. This package should contain the following documents:

- Instructions for Petition to Emancipate a Minor;
- Petition to Emancipate a Minor;
- Notice of Hearing;
- Affidavit for Service by Publication;
- Affidavit of Due Diligence;
- Order for Service by Publication;
- Affidavit of Service;
- Acceptance of Service;
- Consent to Emancipation;
- Recommendation and Decree of Emancipation;
- Notice of Entry of Recommendation and Decree of Emancipation;
- Certificate of Mailing;
- List of Filing Fees;
- List of telephone numbers for the judges' staffs and court clerks;

- Information about classes taught by the Self-Help Center regarding hearings;
- Affirmation.

## II. STEP 1: PREPARE YOUR PAPERWORK

**NOTE: WHEN FILLING OUT ANY FORM, YOU MUST TYPE OR USE BLACK INK. PRINT CLEARLY. THE CLERK'S OFFICE WILL NOT FILE YOUR DOCUMENT IF THE HANDWRITING IS HARD TO READ.**

### A. THE CAPTION:

The "caption" is the portion of your document which assists the court in identifying your particular case. It is the part of the page that has the words "In the Matter of the Emancipation of." Generally, this caption will remain the same throughout the entire case and will be on every document filed in this action. In this package, the caption is on the: (a) Petition to Emancipate a Minor; (b) Notice of Hearing; (c) Affidavit for Service by Publication; (d) Affidavit of Due Diligence; (e) Order for Service by Publication; (f) Affidavit of Service; (g) Acceptance of Service; (h) Consent to Emancipation; (i) Recommendation and Decree of Emancipation; (j) Notice of Entry of Order; (k) Certificate of Mailing; (l) Affirmation.

### B. THE PETITION TO EMANCIPATE A MINOR:

1. Insert your name, address, and phone number on the first page, upper left-hand corner. Insert your name on the blank line over the words "A Minor, Date of Birth."
2. Leave the lines to the right of the caption blank. The Clerk's Office will give you a case number and department letter when you file the Petition. Once you get this information, you will need to put it on any documents that you give to the court (i.e., the Recommendation and Decree of Emancipation, etc.).

3. The Petition uses a fill-in-the-blank format. The form will tell you what information you need to put into the blank.
  - a. For paragraph 2, complete the information for both parents. If a parent's identity or location is unknown, write "unknown" on the blank.
  - b. For paragraph 3, if there is no legal guardian, write "N/A" on the blanks.
  - c. For paragraph 4, only complete this paragraph if you do not know the location of your mother, father and legal guardian. If you know the information for your mother, father or legal guardian, write "N/A" on the blanks.
4. The Petition must be "verified." In other words, you will need to sign the Petition under penalty of perjury.

C. THE NOTICE OF HEARING:

1. Certain people and agencies are entitled to "notice" that you want to become emancipated. These people/agencies are the other "parties" in your case. The Notice of Hearing is the document that gives these parties notice.
2. Insert your name, address, and phone number on the first page, upper left-hand corner. Insert your name on the blank line over the words "A Minor, Date of Birth."
3. Leave the lines to the right of the caption blank. The Clerk's Office will give you a case number and department letter when you file the Petition.
4. The Notice of Hearing uses a fill-in-the-blank format. Do not fill in the hearing day/time

information or any lines after the word "Dated." The Clerk's Office will complete this information when you file the Petition (See Section III, below).

a. The people who are entitled to notice are:

- i) Both of your parents or, if a legal guardian has been appointed by the court, your guardian. If neither the parents nor the legal guardian can be found, then the notice goes to the nearest known relative living in Nevada; and
- ii) Your legal custodian; and
- iii) the White Pine County's District Attorney's Office; and
- iv) If you are a ward of the court, your probation officer.

Write "N/A" on the lines next to the parties that are not applicable in your case.

D. THE AFFIDAVIT FOR SERVICE BY PUBLICATION, THE AFFIDAVIT OF DUE DILIGENCE, AND THE ORDER FOR SERVICE BY PUBLICATION:

**NOTE: COMPLETE THESE FORMS ONLY IF: (1) ONE OF THE PARENTS, THE LEGAL GUARDIAN OR THE LEGAL CUSTODIAN LIVE OUTSIDE OF NEVADA; OR (2) YOU DO NOT KNOW WHERE THEY OR THE NEAREST KNOWN RELATIVE LIVING IN NEVADA LIVE; OR (3) THEY OR THE NEAREST KNOWN RELATIVE LIVING IN NEVADA ARE HIDING TO AVOID BEING SERVED WITH THE PETITION TO EMANCIPATE A MINOR.**

1. If one of the parties lives outside the State of Nevada and you know where he/she lives, you will need to ask the court for permission to serve him/her outside this State. You will need to complete the Affidavit of Service by Publication

form and the Order for Service by Publication form.

2. If you cannot find the party so that you can serve him/her, you will need to ask the court for permission to serve the party by publication. You will need to complete an Affidavit for Service by Publication and an Order for Service by Publication. Also, if the party's last known address was in Nevada, a third party will need to complete part of an Affidavit of Due Diligence. (You will complete the other part of the Affidavit of Due Diligence.)
3. **The Affidavit For Service By Publication:**
  - a. Write "In the Matter of the Emancipation of" and your name in the caption.
  - b. Leave the lines to the right of the caption blank. The Clerk's Office will give you a case number and department number when you file the Petition to Emancipate a Minor. Once you get that case number and department assignment, you will need to fill in these lines. Also, cross out the word "Divorce" in the title and write the word "Emancipation."
  - c. Insert your name on the blank line in the first paragraph.
  - d. The form has two boxes with lines underneath them. **CHECK ONLY ONE BOX AND FILL IN ONLY ONE SET OF LINES.**
    - i. Check the first box if you know where the party lives. Put his/her address on the lines below the first box.
    - ii. Check the second box if you don't know where the party is located. Insert his/her last known address on the lines below the second box. Also insert the

date that the last known address was valid on these lines.

e. Sign the document.

4. **The Affidavit of Due Diligence:**

**NOTE: PART OF THIS FORM WILL NEED TO BE COMPLETED BY A THIRD PARTY. ONLY COMPLETE THIS FORM IF: (1) YOU CANNOT FIND THE PARTY TO SERVE HIM/HER; (2) HIS/HER LAST KNOWN ADDRESS WAS IN NEVADA; AND (3) THE THIRD PARTY DOES NOT HAVE HIS/HER OWN AFFIDAVIT OF DUE DILIGENCE FORM THAT HE/SHE NORMALLY COMPLETES FOR CLIENTS.**

a. Many firms that look for parties use their own forms. If you hire a business to conduct the search, you should ask them if you need to complete the form in this package. (See Section IV, below for more information about these firms)

b. Insert your name, address, and phone number on the first page, upper left-hand corner. Insert your name on the line above the word "A Minor, Date of Birth" in the caption.

c. Leave the lines to the right of the caption blank. The Clerk's Office will give you a case number and department number when you file the Petition. Once you get that case number and department assignment, you will need to fill in these lines.

d. The remainder of the affidavit will need to be completed by the third party. The third party will need to sign the affidavit under penalty of perjury.

5. **The Order For Service By Publication:**

a. Write "In the Matter of the Emancipation of" and your name in the caption.

- b. Leave the lines to the right of the caption blank. The Clerk's Office will give you a case number and department number when you file the Petition. Once you get the case number and department assignment, you will need to fill in these lines. Also, cross out the word "Divorce" in the title and write the word "Emancipation."
- c. At the bottom of the page, sign your name on the line above the word "Plaintiff." Cross out the words "Attorney for Plaintiff" and insert "Petitioner in Proper Person" under the line.

E. THE AFFIDAVIT OF SERVICE:

**NOTE: USE THIS FORM TO SERVE THE PETITIONER'S PARENTS, LEGAL GUARDIAN, NEAREST RELATIVE LIVING IN NEVADA, AND LEGAL CUSTODIAN. USE THE "ACCEPTANCE OF SERVICE" FORM (SEE F, BELOW) TO SERVE THE DISTRICT ATTORNEY'S OFFICE AND THE PROBATION OFFICE.**

**NOTE: PART OF THIS DOCUMENT WILL HAVE TO BE COMPLETED BY SOMEONE ELSE. (PLEASE SEE THIS SECTION AND SECTION IV, BELOW)**

1. This form is used to tell the court how/when the other parties were served. Complete an Affidavit of Service for each party served. You will need to make copies of this document before you write on it.
2. Insert your name, address, and phone number on the first page, upper left-hand corner. Insert your name on the blank line over the words "A Minor, Date of Birth." Insert the case number and the department letter on the lines to the right of the caption.
3. The rest of the document will be completed by a third party when that person has served the documents. A third party is someone who is over 18 years old and is not related to you by blood

or marriage. The third party will need to sign the Affidavit of Service under penalty of perjury.

F. THE ACCEPTANCE OF SERVICE - EMANCIPATION:

**NOTE: USE THIS FORM TO SERVE THE DISTRICT ATTORNEY'S OFFICE AND THE PROBATION OFFICE. IF YOU HAVE TO SERVE THE PROBATION OFFICE (SEE II, C, 4 ABOVE) YOU WILL NEED TO MAKE A COPY OF THIS FORM BEFORE WRITING ON IT.**

**NOTE: PART OF THIS DOCUMENT WILL HAVE TO BE COMPLETED BY SOMEONE AT THE DISTRICT ATTORNEY'S OFFICE (AND THE PROBATION OFFICE, IF APPLICABLE).**

1. This form is used to tell the court that a party has been served. In order to use this form, the other party must be willing to sign it. If the other party is not willing to sign this form, you will need to have a third party serve the papers and complete an Affidavit of Service.
2. Insert your name, address, and phone number on the first page, upper left-hand corner. Insert your name on the blank line over the words "A Minor, Date of Birth." Insert the case number and the department letter on the lines to the right of the caption.
3. Insert either the District Attorney's Office or the Probation Office on the line after "(name of organization)."
4. The rest of the document will be completed by someone at the DA's Office (and the Probation Office, if applicable).

G. THE CONSENT TO EMANCIPATION:

1. The Consent is the document that tells the court that a party agrees to you becoming emancipated. If that party signs a Consent before the hearing, he/she will not need to come to the hearing. If more than one party will sign a Consent in your

case, you will need to make copies of the form before you write on it.

2. Insert your name, address, and phone number on the first page, upper left-hand corner. Insert your name on the blank line over the words "A Minor, Date of Birth." Insert the case number and department letter on the lines to the right of the caption.
3. The Consent uses a fill-in-the-blank format and will tell you what information needs to put into the blank. The Consent must be "verified." In other words, that party will need to sign it under penalty of perjury.

H. THE RECOMMENDATION AND DECREE OF EMANCIPATION:

1. This is the document that the master and judge sign that emancipates you.
  - a. Emancipation cases are heard by a "Juvenile Court Master." A master is very similar to a judge. He/she wears a robe and acts like a judge. The master will hear the facts of your case and make a recommendation to the judge. The master signs the first page of the Recommendation and Decree and, if the judge agrees with the recommendation, the judge will sign the second page of the Recommendation and Decree.
2. Insert your name, address, and phone number on the first page, upper left-hand corner. Insert your name on the blank line over the word "A Minor, Date of Birth." Insert the case number, department letter, and the time and date of the hearing on the lines to the right of the caption.
3. The Recommendation and Decree of Emancipation uses a fill-in-the-blank format. The form will tell you what information you need to put into the blank.

- a. Leave the lines after "DATED" blank. The master and the judge will fill this in when they sign the document.

I. THE NOTICE OF ENTRY OF RECOMMENDATION AND DECREE OF EMANCIPATION:

**NOTE: YOU SHOULD PREPARE THIS DOCUMENT AFTER THE JUDGE HAS SIGNED THE RECOMMENDATION AND DECREE OF EMANCIPATION.**

1. The Notice of Entry is the document that tells the people/agencies that were served with the Petition that the judge has granted your request. It also affects the timing for rights (i.e., to appeal the judge's decision, to ask the judge to reconsider his/her decision, etc.).
2. Insert your name, address, and phone number on the first page, upper left-hand corner. Insert your name on the blank line over the words "A Minor, Date of Birth" in the caption. Insert the case number and department letter on the lines to the right of the caption.
3. The Notice of Entry form uses a fill-in-the-blank format. The form will tell you what information to put in the blank.
  - a. After the word "TO:", list every party except for yourself.
  - b. You will need to attach a "file-stamped" copy of the Recommendation and Decree of Emancipation to the Notice of Entry form. A "file-stamped" copy is a copy of a document that has the clerk's date and time stamp in the upper-right hand corner of the first page. It indicates that the Clerk's Office has received the original document.

J. THE CERTIFICATE OF MAILING:

**NOTE: YOU SHOULD PREPARE THIS DOCUMENT AFTER THE MASTER AND JUDGE HAVE SIGNED THE RECOMMENDATION AND DECREE OF EMANCIPATION. PART OF THIS DOCUMENT WILL HAVE TO BE COMPLETED BY SOMEONE ELSE. (PLEASE SEE SECTION VIII, BELOW)**

1. The Certificate of Mailing is a document that shows the court that the other parties received a copy of the papers you have filed.
2. Insert your name, address, and phone number on the first page, upper left-hand corner. Insert your name on the line above the word "A Minor, Date of Birth" in the caption. Insert the case number and department letter on the lines to the right of the caption.
3. The Certificate of Mailing uses a fill-in-the-blank format and will tell you what information you need to put into the blank.
  - a. The third party will need to fill in the date that he/she mailed the documents to the other persons/agencies and sign the Certificate of Mailing.
  - b. On "Exhibit 1", list the names and addresses of every party who was listed on the Notice of Hearing form.

K. THE AFFIRMATION:

**NOTE: You will need to file an Affirmation each time you file documents. You may want to make a few copies of the form before completing it.**

1. Beginning January 1, 2007, most documents should not contain parties' Social Security Numbers. If certain documents are required to have this information, the Clerk's Office and/or the Court must take steps to ensure that the information is kept in a confidential manner. The

Affirmation lets the Clerk's Office and the Court know whether the documents you file contain Social Security Numbers.

2. Insert your name, address, and phone number on the first page, upper left-hand corner. The form uses a "fill-in-the-blank" format. Write the information requested on each line in the caption.
3. If you or the other party has already filed paperwork, fill in the "Case No." and "Dept. No." lines to the right of the caption. You can find this information by looking at other documents that have been filed in the in the case, leave the lines blank. The Clerk's Office will give you a case number and department number when you file the paperwork.
4. Check the boxes next to the documents you are filing. If you are filing document that is not listed, check the "other" box and state the name of the document on the line next to the box.
5. Sign and date the form.

**III. STEP 2: FILE THE PETITION TO EMANCIPATE A MINOR AND THE NOTICE OF HEARING**

A. Count the number of parties that will be served. You will need to make that number of copies, plus one copy for yourself, of the following documents:

- Petition to Emancipate a Minor;
- Consent to Emancipation (for each party who signed the form);
- Notice of Hearing.

You will also need to make one copy of the Affirmation.

- B. You need to use a two-hole punch on the top of each original document and also stamp or write "original" on the original documents between the two holes. The Self-Help Center has a two-hole punch and a stamp that you can use.
- C. Take the Petition, the Consent(s) (if used), the Notice of Hearing, the Affirmation and the money for the filing fee to the Clerk's Office (located on the first floor of the courthouse). The list of fees is included in this package. The Clerk's Office will accept money orders, cashiers checks, and/or a personal check if you have a valid Nevada Driver's License.
- D. The clerk will file the original documents and return the file-stamped copies to you. The clerk will also assign your case to a judge and give your case a case number.

**IV. STEP 3: SERVE THE PETITION AND THE NOTICE OF HEARING**

- A. As mentioned in Section II, above, certain people and agencies are entitled to notice that the petition has been filed. In general, you must give these parties a copy of any document that you file with the court. If any party is represented by an attorney, you must give the documents to the attorney instead of that party. The way of giving the documents to the other person (or the attorney) is called "service of process" or "service." At the beginning of the emancipation process, you must serve the: 1) Petition for Emancipation; and 2) Notice of Hearing. You will need to serve the Notice of Entry of Decree at the end of the process.
1. Any document that is "served" must be delivered by someone other than you or someone who is related to you by blood or marriage, and is over 18 years old. This person is called a "third party."
    - a. Any third party can serve the documents. However, there are businesses that

specialize in serving documents. You can find these businesses by looking in the Yellow Pages under "Process Servers."

- B. There are several ways of serving the other parties. However, a Petition for Emancipation and the Notice of Hearing must be served by "personal service" if you know where the parties are located. This means that the third party must hand-deliver these documents. If one of the parties is willing to sign the Consent, you should serve the Consent with these documents.
1. The DA's Office is located on the 2nd floor of the courthouse and the Probation Office is at the Annex Building. You can ask security for directions when you enter the building. You will need to make one copy of the Acceptance of Service for each of the offices that you want to serve by using this form. You will need to take the originals and the copies with you when you serve these offices.
  2. **Note:** The laws for serving someone outside the United States are very complicated. If a party lives outside the United States, you may want to speak to an attorney. The has a listing of attorneys who are willing to take family law cases.
    - If you are able to serve the party in Nevada, go to "C" below.
    - If you are able to serve the party outside Nevada, go to No. 3, below.
    - If you do not know where the party is, or if he/she is hiding to avoid being served, please see No. 4, below.
  3. If you know where the party is but he/she lives outside of the State of Nevada, you need to get court permission to serve that person outside of Nevada. You will need to:

- a. Complete the Affidavit for Service by Publication and the Order for Service by Publication (See Section II, above).
- b. Make three copies of the Affidavit and the Order. Make one copy of the Affirmation.
- c. Use a two-hole punch on the top of each original document and also stamp or write "Original" on each original document. The Self-Help Center has a two-hole punch and a stamp that you can use.
- d. Go to the filing counter at the Clerk's Office. The clerk will file the original documents and return the file-stamped copies to you.
- e. Go somewhere where you can put your documents together. You will need to make a package for the judge's staff to review. That package needs to have the following documents:

- One file-stamped copy of the Petition to Emancipate a Minor;
- One file-stamped copy of the Affidavit for Service by Publication;
- The original and at least three copies of the Order for Service By Publication.

Be sure that the case number and department letter are on all of the documents that you give to the judge to review.

- g. The judge's staff will review your paperwork. If it is approved, the judge will sign the Order for Service By Publication. If you need to make some corrections, the staff will put a note on your papers to tell you how to correct your papers. It usually takes between one to two weeks from the time that you give your papers to the department until the staff has reviewed them.
  - h. The Clerk's Office will mail the forms to you after they have been reviewed by the judge. Please give the clerk a blank 10x13 envelope when you file your documents. The Clerk's Office will pay the postage. After one week, you can call the Clerks Office at 775-293-6509 to ask if your paperwork has been mailed. If the paperwork has not been mailed after two weeks, you may call the judge's office to make sure that they have received your paperwork.
  - i. If the judge signed your Order for Service By Publication, the Clerk's Office will automatically file the Order for you. If your paperwork needs correction, you will need to follow the instructions from the judge's office, make all corrections, file the new document, and go through steps b-h of this section again.
  - j. At this point, you can serve the party outside of Nevada. Go to section "C", below for more instructions.
4. If the party is avoiding being served or if you do not know where he/she is, you may ask the court for permission to serve him/her by publication. You will need to:

- a. Complete the Affidavit for Service by Publication, the Order for Service by Publication, the Affidavit of Due Diligence (if necessary) and the Affirmation. (See Section II, above)
- b. Make three copies of the affidavits and the Order and one copy of the Affirmation.
- c. ~~Use a two-hole punch on the top of each original document and also stamp or write "Original" on each original document. The Self-Help Center has a two-hole punch and a stamp that you can use.~~
- d. Go to the filing counter at the Clerk's Office. The clerk will file the original Affidavit for Service by Publication and the Original Affidavit of Due Diligence (if one is needed) and Affirmation and return the file-stamped copies to you.
- e. Go somewhere where you can put your documents together. You will need to make a package for the judge's office to review. That package needs to have the following documents:
  - One file-stamped copy of the Petition to Emancipate a Minor;
  - One file-stamped copy of the Affidavit for Service by Publication;
  - One file-stamped copy of the Affidavit of Due Diligence (if necessary);
  - The original and at least three copies of the Order for Service By Publication

Please be sure that the case number and department letter are on all of the documents that you give to the judge to review.

- g. The judge's staff will review your paperwork. If it is approved, the judge will sign the Order. If you need to make some corrections, the staff will put a note on your paper to tell you how to correct your papers. It usually takes between one to two weeks from the time that you give your papers to the department until the staff has reviewed them.
- h. The Clerk's Office will mail the forms to you after they have been reviewed by the judge. Please give the clerk a blank 10 x 13 envelope when you file your documents. The Clerk's Office will pay the postage. After one week, you can call the Clerk's Office at **293-6509** to ask if your paperwork has been mailed. If the paperwork has not been mailed after two weeks, you may call the judge's office to make sure that they have your paperwork.
- i. If the judge signed your Order for Service By Publication, the Clerk's Office will automatically file the Order for you. If your paperwork needs correction, you will need to follow the instructions from the judge's office, complete and file the new document, and go through steps b-h of this section again.

- j. After the judge has signed your Order for Service by Publication, you must publish the Notice of Hearing in a newspaper of general circulation in ~~White Pine~~ County one time per week for four weeks in a row. (It will be published a total of five times to meet this requirement.) You may use any newspaper of general circulation. Also, some judges require that the notice be published in a newspaper where the party was last known to live. You should call the law clerk of the department your case is assigned to and ask about that judge's policy.
  - k. A third party will also need to mail a copy of the Petition and the Notice of Hearing to the party at his/her last known address.
  - l. Service is completed after the fifth time the Summons is published and four weeks from the time the documents were mailed to the party. Go to "C", below for more instructions.
- C. After the third party has served the Petition, Notice of Hearing, and Consent (if used), he/she should either complete their portion of the Affidavit of Service or complete their own form to indicate how he/she served the documents.
1. The next step depends on whom you have chosen to serve your documents. Some process servers will file the Affidavit of Service and give you file-stamped copies for your records. Other process servers will return the original Affidavit of Service to you after they have completed their portion and you will have to file it with the court. You need to ask the person or company that you choose about their procedure.
    - a. If you have to file the original documents with the court, you will need to do the following:

- Make one copy of the Affidavit of Service for each party and one copy of the Affirmation.

File the original Affidavit of Service at the Clerk's Office. They will date stamp the original and your copy.

V. **STEP 4: GO TO THE EMANCIPATION HEARING**

- A. Count the number of people/agencies that were served with the Petition. Make that many copies, plus one more copy, of the Recommendation and Decree of Emancipation. Prepare and make one copy of the Affirmation.
- B. Hearings for emancipation are videotaped. You may want to have a tape of your hearing so that you can review it later. To request a copy of your hearing, you must prepare a written request for the copy of the hearing and provide the Clerk's Office with \$10 and a blank DVD+R. The DVD of the hearing can be reviewed with Windows Media Player or a similar program on your computer.
- C. On the day of your hearing:

1. Be early. Hearings start promptly. You should be in the courtroom at least 15 minutes before your hearing is scheduled to begin.
  2. Dress as if you are going to a job interview.
  3. Bring copies of your papers to court (in case one of the other parties doesn't have their copies with them or the court's copy is not in the file).
- D. When you go into the courtroom, ask the bailiff where you should sit.
- E. When the master first enters the courtroom, the bailiff will say "All rise." Stand up and keep standing until the master or someone else from the court tells you that you can sit down.
- F. The master may ask you and the other parties a few questions. Answer the questions politely and briefly. Always address the master as "Your Honor."
- G. At the end of the hearing, the master will tell you his/her recommendation. After the hearing, the master will give the Recommendation and Decree to the judge for the judge to review. The Affirmation should be part of this paperwork.

**VI. STEP 5: PICK UP THE RECOMMENDATION AND DECREE OF EMANCIPATION FROM THE CLERK'S OFFICE**

- A. After the judge has decided whether or not to sign the Recommendation and Decree of Emancipation, the paperwork will be delivered to the Clerk's Office. It usually takes at least a week before the paperwork is ready to be mailed.

**VII. STEP 6: PREPARE AND FILE THE NOTICE OF ENTRY OF RECOMMENDATION AND DECREE OF EMANCIPATION**

- A. Prepare the Notice of Entry of Order and an Affirmation.
- B. Count the number of parties that were served with the Petition. Make that many copies, plus one more copy, of the Notice of Entry of Recommendation. Make one copy of the Affirmation.

**Note:** You will attach a file-stamped copy of the Recommendation and Decree of Emancipation to each Notice that you will be mailing.

File the original Notice of Entry of Recommendation with the Clerk's Office and they will date stamp the original and your copies.

**VIII. STEP 7: MAIL THE NOTICE OF ENTRY OF RECOMMENDATION AND DECREE OF EMANCIPATION TO THE OTHER PARTIES**

- A. In this part of your case, you can serve the other parties by having a third party mail the documents to them. If a party is represented by an attorney, mail the Notice of Entry to the attorney at the attorney's business address.

**IX. STEP 8: FILE THE CERTIFICATE OF MAILING**

- A. After the third party has mailed the Notice of Entry of Recommendation and Decree of Emancipation to the other parties, he/she should complete his/her portion of the Certificate of Mailing and you should prepare an Affirmation. (See Section II, above).
- B. Make one copy of the Certificate of Mailing and one copy of the Affirmation.

File your original Certificates of Mailing with the Clerk's Office. They will date stamp the original and copies.



**Supply the following information about any other proceeding (check all that apply):**

- Divorce   
 Temporary Protective Orders (TPO)   
 Custody/Child Support  
 UIFSA/URESA   
 Paternity   
 Juvenile Court   
 Other

Please Print

List full name of all adult parties involved			Case number of other proceeding(s)	Approximate date of last order in other proceeding(s)
Last Name	First Name	Middle Name		
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2.				
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If children were involved (other than those listed on front page), please provide:				
Last Name	First Name	Middle Name	Date of Birth	Relationship
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Children involved in this case (continuation from front page)

Last Name	First Name	Middle Name	Date of Birth	Relationship
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**THIS INFORMATION IS REQUIRED BY**  
**NRS 3.025, NRS 3.223, NRS 3.227, NRS 3.275,**  
**NRS 125.130, NRS 125.230,**  
**And will be kept in a confidential manner by the Clerk's Office.**

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(Your name) \_\_\_\_\_  
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(Telephone) \_\_\_\_\_

In Proper Person

IN THE 7TH JUDICIAL DISTRICT COURT  
WHITE PINE COUNTY, NEVADA

In the Matter of the )  
Emancipation of: ) CASE NO.: \_\_\_\_\_  
 ) DEPT. NO.: \_\_\_\_\_  
\_\_\_\_\_, )  
A Minor, Date of Birth \_\_\_\_\_ )  
\_\_\_\_\_ )

**PETITION TO EMANCIPATE A MINOR**

COMES NOW, (your name) \_\_\_\_\_, in accordance with  
Chapter 129 of the Nevada Revised Statutes, whose petition respectfully represents the following  
to this Honorable Court:

1. That the petitioner's name, age and address is:  
Name: \_\_\_\_\_  
Age: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_
  
2. That the names and addresses of the petitioner's parents are:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
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Name: \_\_\_\_\_

Address: \_\_\_\_\_

3. The petitioner (check one)  does/  does not have a legal guardian. That guardian's name and address is: (Write "N/A" if this does not apply to you.)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

4. The name and address of Petitioner's nearest known relative living in the State of Nevada is:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

5. The petitioner (check one)  is/  is not attending school. (State name of school, class year, G.P.A., expected graduation date, etc.) \_\_\_\_\_

If petitioner is not attending and has not graduated from school, the attendance has been excused pursuant to NRS 392.040 through NRS 392.125.

6. The petitioner (check one)  is/  is not employed.

(If employed)

Name and address of employer: \_\_\_\_\_

Hours working per week: \_\_\_\_\_ Monthly income before taxes: \$ \_\_\_\_\_

7. The petitioner has been willingly living apart from his/her parents or legal guardian since (date) \_\_\_\_\_.

8. The following people consent to petitioner living apart from them: (check all that apply)  petitioner's mother  petitioner's father  petitioner's legal guardian

1  other \_\_\_\_\_.

2 9. The following people do not consent to petitioner living apart from them: (check all  
3 that apply)  petitioner's mother  petitioner's father  petitioner's legal guardian

4  other \_\_\_\_\_.

5 10. The Petitioner (check one)  is not a ward of the court/  is a ward of the court  
6 and his/her probation officer's name is \_\_\_\_\_.

7 11. The petitioner is managing his/her own financial affairs.

8 12. The source of the petitioner's income is not derived from any activity declared to be  
9 a crime by the laws of this state or the United States.

10 13. The petitioner is substantially able to support himself/herself without financial  
11 assistance.

12 14. The petitioner is sufficiently mature and knowledgeable to continue managing  
13 his/her affairs without the guidance of his/her parents or legal guardian.

14 15. The petitioner considers it in his/her best interest to be emancipated from the status  
15 of minor.

16 16. That this court has jurisdiction over this matter pursuant to NRS Chapter 129.

17 WHEREFORE, petitioner prays as follows:

18 A. That this Court enter a Decree declaring petitioner emancipated from the status of  
19 minor and removing the disability of minority from him/her.

20 B. For such other and further relief as the court may deem just and proper.

21 DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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\_\_\_\_\_  
Petitioner

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**VERIFICATION**

STATE OF NEVADA                    )  
  ) ss:  
COUNTY OF \_\_\_\_\_ )

I, (your name) \_\_\_\_\_, being first duly sworn under penalty of perjury, hereby depose and say:

That I am the petitioner in the within action; that I have read the foregoing Petition to Emancipate a Minor and know the contents thereof; that the same is true of my knowledge except as to those matters therein stated upon information and belief and as to those matters, I believe them to be true.

\_\_\_\_\_  
Petitioner

SUBSCRIBED and SWORN to before me

This \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**NOTARY PUBLIC**

STATE OF NEVADA                    )  
  ) ss:  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared before me, the undersigned, a Notary Public in and for the County of \_\_\_\_\_, State of Nevada, (your name) \_\_\_\_\_, personally known to me or proved to me, to be the person who executed the foregoing Petition to Emancipate a Minor, and who acknowledge to me he/she did so freely and voluntarily and for the uses and purposes here in stated.

\_\_\_\_\_  
NOTARY PUBLIC

1  
2 (Your name) \_\_\_\_\_  
3 (Address) \_\_\_\_\_  
4 (Telephone) \_\_\_\_\_

In Proper Person

5 IN THE 7TH JUDICIAL DISTRICT COURT  
6 WHITE PINE COUNTY, NEVADA

7 In the Matter of the ) CASE NO.: \_\_\_\_\_  
8 Emancipation of: )  
9 \_\_\_\_\_, ) DEPT. NO.: \_\_\_\_\_  
10 \_\_\_\_\_, )  
11 A Minor, Date of Birth \_\_\_\_\_ )  
\_\_\_\_\_ )

12 **NOTICE OF HEARING**

13 **TO:** \_\_\_\_\_, the natural mother;  
14 \_\_\_\_\_, the natural father;  
15 \_\_\_\_\_, the legal guardian;  
16 \_\_\_\_\_, the nearest known relative of Petitioner living in  
17 the State of Nevada;  
18 \_\_\_\_\_, the legal custodian of the minor;  
19 \_\_\_\_\_, the probation officer for the Petitioner;  
20 \_\_\_\_\_, the District Attorney for White Pine County.

21 You are hereby notified that there has been filed in the above-entitled court a petition praying for  
22 the emancipation of the above-named minor person, and that the petition has been set for hearing  
23 before this court on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ .m., in Department  
24 \_\_\_\_\_ of the above-entitled court located at 801 Clark St., 2nd floor, Ely, NV 89301.  
25 at which time and place you are required to be present if you desire to oppose the petition.

26 Dated \_\_\_\_\_, \_\_\_\_\_.

27 \_\_\_\_\_  
Clerk of Court

28 By: \_\_\_\_\_  
Deputy







(CHECK ALL THAT APPLY)

- U.S. Post Office;
- Dept. of Motor Vehicles for the State of Nevada;
- Voter's Registration for the State of Nevada;
- Nevada Power Company;
- Southwest Gas Corporation;
- Local telephone companies;
- Tax Assessor's Office;
- County Recorder's Office for White Pine County
- (Party's name) \_\_\_\_\_'s current employer

(name of person and business) \_\_\_\_\_.

He/she informed me that \_\_\_\_\_

\_\_\_\_\_;

- (Party's name) \_\_\_\_\_'s former employer

(name of person and business) \_\_\_\_\_

\_\_\_\_\_. He/she informed me that \_\_\_\_\_

\_\_\_\_\_;

- (Party's name) \_\_\_\_\_'s family and/or

friends (names of family and/or friends contacted) \_\_\_\_\_

\_\_\_\_\_. They informed me that \_\_\_\_\_

\_\_\_\_\_;

- Neighbors at (party's name) \_\_\_\_\_'s last

known address (names of neighbors contacted) \_\_\_\_\_

\_\_\_\_\_. They informed me that \_\_\_\_\_

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Spoke to person living at (party's name) \_\_\_\_\_'s last  
known address (name of person spoken to) \_\_\_\_\_.

He/she informed me that \_\_\_\_\_.

5. That after conducting the above search Affiant was unable to locate (party's name)  
\_\_\_\_\_. Therefore, Affiant believes that he/she cannot be  
found in the State of Nevada at this time.

Dated this (day)\_\_\_\_ day of (month)\_\_\_\_\_, (year)\_\_\_\_\_.

(signature) \_\_\_\_\_

(printed name) \_\_\_\_\_

SUBSCRIBED and SWORN to before me

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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NOTARY PUBLIC

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(Your name) \_\_\_\_\_  
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(Telephone) \_\_\_\_\_

In Proper Person

IN THE 7TH JUDICIAL DISTRICT COURT  
WHITE PINE COUNTY, NEVADA

In the Matter of the )  
Emancipation of: ) CASE NO.: \_\_\_\_\_  
) DEPT. NO.: \_\_\_\_\_  
\_\_\_\_\_, )  
)  
A Minor, Date of Birth \_\_\_\_\_ )  
\_\_\_\_\_ )

**ACCEPTANCE OF SERVICE - EMANCIPATION**

I, \_\_\_\_\_, hereby accept service of Notice of Hearing and  
Petition to Emancipate a Minor on behalf of (name of organization) \_\_\_\_\_

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Agent for organization)

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(Telephone) \_\_\_\_\_

In Proper Person

IN THE 7TH JUDICIAL DISTRICT COURT  
WHITE PINE COUNTY, NEVADA

In the Matter of the )  
Emancipation of: ) CASE NO.: \_\_\_\_\_  
 ) DEPT. NO.: \_\_\_\_\_  
\_\_\_\_\_, )  
 )  
A Minor, Date of Birth \_\_\_\_\_ )  
\_\_\_\_\_ )

**CONSENT TO EMANCIPATION**

I, (consenting person's name) \_\_\_\_\_, petitioner's (check  
one)  mother/  father/  legal guardian/  nearest known relative living in the State of  
Nevada/  other \_\_\_\_\_, do hereby give my full and free  
consent to the emancipation of the petitioner. I request that the relief requested in the Petition to  
Emancipate a Minor be granted.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Consenting person's signature)

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**VERIFICATION**

STATE OF NEVADA )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

I, (your name) \_\_\_\_\_, being first duly sworn under penalty of perjury, hereby depose and say:

That I am petitioner's (check one)  mother/  father/  legal guardian/  nearest known relative living in the State of Nevada/  other \_\_\_\_\_; that I have read the foregoing Consent to Emancipation and know the contents thereof; that the same is true to the best of my knowledge except as to those matters therein stated upon information and belief and as to those matters, I believe them to be true.

\_\_\_\_\_  
(Consenting person's signature)

SUBSCRIBED and SWORN to before me

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

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In Proper Person

IN THE 7TH JUDICIAL DISTRICT COURT  
WHITE PINE COUNTY, NEVADA

In the Matter of the )  
Emancipation of: ) CASE NO.: \_\_\_\_\_  
 ) DEPT. NO.: \_\_\_\_\_  
\_\_\_\_\_, )  
A Minor, Date of Birth \_\_\_\_\_ ) DATE OF HEARING: \_\_\_\_\_  
 ) TIME OF HEARING: \_\_\_\_\_

**DECREE OF EMANCIPATION**

The above-entitled matter having come before this Court on this day, pursuant to the  
Petition to Emancipate a Minor, filed by the Petitioner, and this Court being satisfied that Notice  
has been given in accordance with statutory requirements, and it appearing to the Court that the  
allegations of the Petition are sufficient, and good cause appearing, therefore;

**IT IS HEREBY ORDERED** that the above-named minor is hereby emancipated  
from the disability of minority.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

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(Your name) \_\_\_\_\_

(Address) \_\_\_\_\_

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(Telephone) \_\_\_\_\_

In Proper Person

IN THE 7TH JUDICIAL DISTRICT COURT

WHITE PINE COUNTY, NEVADA

In the Matter of the )  
Emancipation of: )  
\_\_\_\_\_, )  
A Minor, Date of Birth \_\_\_\_\_ )  
\_\_\_\_\_ )

CASE NO.: \_\_\_\_\_

DEPT. NO.: \_\_\_\_\_

**NOTICE OF ENTRY OF DECREE OF EMANCIPATION**

**TO:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE TAKE NOTICE** that a Decree of Emancipation was entered in the above-entitled matter on \_\_\_\_\_, a copy of which is attached hereto.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Your signature)

By: \_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

Petitioner in Proper Person



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**EXHIBIT 1**

Name of Party

Address of Party

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