

# 2010

## State Law Report Card



# Nevada

### Access to Orders for Protection

In Nevada, minors can obtain Orders for Protection (OPs),<sup>1</sup> but the law prohibits OPs against minor abusers.<sup>2</sup> Nevada allows people in dating relationships to seek OPs against their abusers.<sup>3</sup>

### Procedure

State law does not specify whether minors can petition for OPs on their own behalf. A parent or guardian may petition for an OP on the minor's behalf.<sup>4</sup> If a minor is able to file on their own behalf, Nevada law does not specify whether the parent or guardian of the minor will be notified about the OP.

### Definition of Abuse

A judge may issue an OP when the respondent has physically abused, sexually abused, threatened to physically abuse, stalked or harassed the petitioner; or damaged the petitioner's property.<sup>5</sup> The statute may recognize other forms of abuse not specifically listed here.

### Relief Available

The court may order<sup>6</sup> the respondent to:

- stay away from the petitioner (including petitioner's school);
- vacate the petitioner's residence;
- comply with a custody/visitation schedule;
- pay child support;
- pay attorneys' fees;
- pay restitution for other harm; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Order for Protection is modifiable.<sup>7</sup>

### Minors' Access to Sensitive Services<sup>8,9</sup>

All minors can consent to:

- HIV/STI testing and treatment
- Adoption
- Medical care for minor child(ren)

Some minors can consent to contraceptive services and prenatal care.

State law requires parental notice for abortion services, but is currently enjoined by court order.

### School Response to Dating Violence

Nevada law does not provide for a school response to dating violence.

### Recommendations for Immediate Policy Change

In order to improve Nevada's response to teen dating violence, the following changes are recommended:

- Allow minors to petition for OPs on their own behalf, against minor abusers, and explicitly describe the procedure for doing so.
- Allow all minors to access all sensitive services without parental involvement.
- Mandate dating violence prevention education in all middle schools and high schools.

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### References

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<sup>1</sup> NEV. REV. STAT. § 33.400 (2009).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* § 33.018(1).

<sup>4</sup> *Id.* § 33.400.

<sup>5</sup> *Id.* § 33.018(1).

<sup>6</sup> *Id.* § 33.030(1)-(2).

<sup>7</sup> *Id.* § 33.100(1).

<sup>8</sup> Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_OMCL.pdf](http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf), accessed December 1, 2009.

<sup>9</sup> Guttmacher Institute, Minors' Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_MASS.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf), accessed December 1, 2009.