Government, Independence, & You

A Guide to Navigating Life & The Law
As a Newly Independent Adult

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DIGEST EDITION

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This new publication would not be possible were it not for the work of Washoe County Bar Association, and Project REAL would like to thank them for their work facilitating academic success and participatory citizenship among Nevada’s newest adults.

Special Thanks
To the many original contributors and fact checkers that volunteered their time to reviewing this publication.
About Project REAL

Project REAL reduces crime, protects students' futures, and makes Nevada safer for everyone. We do this by engaging the students we reach in conversations about laws, the consequences of breaking laws, constitutional rights, and how to exercise those rights. Justice is rooted in knowledge, and our work brings more fairness and justice into the lives of the students we reach. For that reason, all of our resources are available at no cost to the schools, organizations, and families of Nevada who wish to use them.

Project REAL’s unique activities and educational resources engage Nevada's students in critical thinking about citizenship, selfless action, democracy and the law, helping them to achieve REAL excellence. Our Sequential Education Program helps to ensure that Nevada is populated by residents who respect the law and contribute to their community - people who work to create an environment they are proud to live in and call their own. By fostering actions of mutual respect and selflessness, and by encouraging commitments to local communities, we contribute to a safer and more prosperous Nevada for us all.

About This Book

This Digest Edition of our forthcoming book ‘Government, Independence, & You’ has been designed to help you understand laws and scenarios which tend to be the greatest sources of confusion or legal challenges among 18-25 year olds. While you will have a greater chance at a successful life and a better opportunity to protect your interests if you know the basics contained in this publication, should you ever find yourself wondering ‘Is that legal?’ or ‘Could I sue that person?’, we highly advise that you consult an attorney.

This publication has been created by Project REAL, a nonprofit organization that serves the students of Nevada. Where most companies exist to make money, nonprofits work to spend money in ways that make the world a better place. The money to do this kind of work comes from donations made by companies, government agencies, and people just like you.

Since we are a nonprofit, we provide these materials at no cost to you, your family, and your school. We are happy to do so, but that also means we can only print and distribute a limited amount of books each year based on the donations we receive. We hope the printed versions of our books will last 3-5 years at each school so that we can use our resources to provide additional copies of them to more schools, rather than replacing the ones we’ve already sent out. Therefore, we ask that if you are reading this as a physical publication provided to you by your school, that you treat it carefully and with respect while it is in your possession.

If you don’t already have one and would like a digital copy of this publication for yourself, please visit our website to download our mobile app, where you will be able to find what you are looking for. You will find that at [http://projectreallnv.org](http://projectreallnv.org)

Would you like to know more?

The book you are about to read covers a wide range of subjects that will affect your life as an independent adult. Taxes, credit development, employment, health, personal safety, volunteering and even pet ownership are discussed. By downloading our free app, you can quickly connect with organizations in Nevada that will help you find resources related to all of those topics and many more.

Get the Project REAL app by visiting iTunes, Google Play, or our website: [http://projectreallnv.org](http://projectreallnv.org)

About Our Founders

Project REAL wouldn’t exist at all were it not for our founders Sam Lionel & Irwin Molasky. Nearly 200,000 students have them to thank for their Project REAL experiences, and we anticipate hundreds of thousands more owing them a debt of gratitude for many years to come.

Since 2004, Project REAL has been teaching the students of Nevada about the law and their rights thanks to Mr. Lionel and Mr. Molasky. They founded Project REAL to ensure that the young residents of Nevada would have consistent access to informative and empowering law related education. Thanks to their vision, ongoing support, and community ties, Nevada’s students are and shall remain safer, wiser, and more informed members of the communities they live in.

About The Law

Project REAL’s staff and volunteers worked extensively to research the book you hold in your hands. We have ensured that the information provided herein is accurate, true, and up-to-date at the time of publication (with this edition’s publication occurring in January 2017). While the book will introduce you to key concepts, rights, responsibilities, and laws which you are likely to encounter as an adult, it is neither an encyclopedia nor replacement for sound legal advice. This is a starting point meant to empower you, however the laws which are referred to in this book may be different based on where you live and when you are reading the material.

Whether you make Nevada your home or move to out of state, be sure to research your rights and the local laws in the community you end up calling home. Remaining up to date and knowledgeable of your rights will only help you in the long run, and potentially protect you from being scammed or taken advantage of. This guide was written with Nevada Law in mind. Whether you’re from another state or moving away laws can be different depending where you live, especially when it comes to issues like immigration, technology, civil law, and gun rights. Should you find yourself living outside of Nevada, be sure to familiarize yourself with local laws and statutes as they may be different from the ones detailed in this manual.

This Is Not Legal Advice

This publication is intended to be informational only. The information in this book is not intended as legal advice. No legal advice is being given. If you are facing legal issues, whether criminal or civil, seek professional legal counsel to get your question answered.

This book is not a replacement for legal advice. To be 100% clear: if you ever find yourself in a situation where your life is intersecting with the law, we highly encourage you to seek the advice and services of a licensed and practicing attorney.

You should also keep in mind that laws are ever-changing. Consider how you are taught from an early age that The United States Constitution is a living document. Laws work similarly and each year many new laws are created while some existing laws are repealed. Given the ever-changing landscape of laws in the United States, we highly suggest that you contact an attorney if you ever find yourself with questions related to the law.

On a final note, our mobile app also has a digital version of this guide. We will update the digital version of this text regularly as the laws continue to change. We hope you will download our app so you always have an up-to-date resource as you navigate your way through life as an adult.
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Understanding the Age of Majority

Welcome to Government, Independence, & You—DIGEST EDITION.

This brief guide has been designed to help young people that are or will soon be independent adults living on their own. It’s certainly an exciting time in a person’s life, but there are also many obstacles that lie ahead.

Once a person reaches 18 years of age, they are considered an adult and that means a lot of the laws that apply to that person have changed.

Those 18 and above are considered the age of the majority, a term used by lawyers to describe the time in life after which a person is legally no longer considered a child. As an adult in the eyes of the law, these young adults now have the right to enter into binding contracts, buy or sell property, marry without written consent, sue or be sued, make or revoke a will, vote in national, state and local elections, consent to all types of medical treatment, and join the military without parental consent.

This does not mean that they gain all of the rights and privileges available to adults. For instance, you must be 21 years or older to purchase alcohol, but even so, you have reached a point when an individual is treated as an adult for most purposes.

Reaching the age of majority also has its losses.

Predominately you lose the rights children are given for their protection such as the right to their parents’ support, care and shelter, their right to treatment within the juvenile court system, and their protection against exploitation and harmful/dangerous work conditions under child labor laws.

The rest of this guide will tell you what your new rights and responsibilities are as a new member of the age of the majority. As you read on, you will learn just a few of the many categories of law you must follow as an adult. It’s not all ‘laws to follow’ though! You’ll also begin to see how you can keep yourself safe and protected with all your newfound access, opportunities, and privileges afforded to you by laws as a person recognized as an adult by the law.
Vehicle Basics
Citizens and legal residents in Nevada are required to have a driver’s license in order to drive. Since January 2014, tens of thousands of Nevada immigrants living in the United States without legal permission have been able to get behind the wheel and travel the roads of the Silver State legally under law SB 303 using what is called a Driver’s Privilege Card.

Those of you who live in the U.S. legally may already have a driver’s license. But now that you are 18, the law applies to you differently in some instances. For example, you can be employed as a driver now.

At age 18, you assume liability for your own traffic violations or accidents the law now holds you (not just your parents) responsible for your actions. It is your responsibility to know (and follow) the rules of the road described in the Nevada Driver Handbook. When you were younger, your parents could be held legally responsible for at least some damages and financial losses caused by your actions.

Reckless driving is generally defined as the act of a motor vehicle operator failing to practice due care while a vehicle or being careless. Practicing due care while driving means that you follow the posted speed limits and road signs, you stay on designated roads, not consuming alcohol or other substances known to impair your concentration behind the wheel, and refrain from engaging in distracting activities.

Texting behind the wheel may not get you a reckless driving ticket if that is all you are charged with, but it is a common problem and a reckless and selfish choice.

The danger from texting is pretty simple to explain – you are looking away from the road while in control of a fast moving collection of thousands of pounds of metals and gasoline. Do the math, follow the science: Don’t text and drive.

Car Insurance
You must carry insurance and have proof of insurance in order to drive a vehicle. Further, a person shall not operate the motor vehicle of another unless they know the required evidence of insurance is present in the motor vehicle and they have their own evidence of insurance which covers them as the operator.

If you are a student, your parents may be able to continue to carry you on their car insurance while you operate their vehicles or if your parents are co-owners of your car. Otherwise, you will have to get your own insurance.

When you buy a car, you will either receive the original Certificate of Title or a copy, commonly known as the “pink slip.” You will receive the original certificate if you paid cash for the car. You will receive a copy of the certificate if you financed the car; the original certificate will remain with the lender until you pay off the loan. The Certificate of Title is a very important document, as it contains detailed information about the car and provides proof of ownership. When a car changes ownership, the seller is required to sign this certificate and to have it recorded within 10 days by the Department of Motor Vehicles to finalize the transfer and discharge the seller from any further responsibilities connected with that particular vehicle.
Drinking, Drugs, & Driving

You are putting yourself and others in danger if you consume alcohol and operate a vehicle. Teenagers are more than twice as likely as adult drivers to be involved in a fatal, alcohol-related crash, according to the Department of Motor Vehicles.

It is illegal for anyone to drive under the influence of alcohol. Drivers cannot have a blood-alcohol concentration (BAC) of 0.08% or more in their blood or breath. Further, it is illegal for any driver to be under the influence of a controlled substance.

Any person who drives or is in actual physical control of a vehicle on a highway or on premises to which the public has access shall be deemed to have given their consent to a preliminary test of their breath to determine the concentration of alcohol in their breath. If a person fails to submit to the test, the officer shall seize their license and arrest them. Further, any person who drives shall be deemed to have given their consent to an evidentiary test of their blood, urine, breath or other bodily substance to determine the concentration of alcohol or controlled substance.

If a person to be tested fails to submit to the test and an officer has reasonable grounds to believe that the person was driving and under the influence, the officer may direct that reasonable force be used to the extent necessary to obtain samples of blood. If a person to be tested is under the age of 18 the officer shall, before testing, make a reasonable attempt to notify the parent or guardian.

Driving Under the Influence

Nevada’s legal limit of alcohol is 0.08% for driving under the influence or DUI. Even though you may not feel intoxicated, you may still register over the legal limit after only a couple of drinks.

The first DUI is punishable as a misdemeanor. Misdemeanors are punishable up to 6 months in jail and a $1,000.00 fine. The minimum penalties for a first offense are two days in jail or 48 hours of community service, a $400 fine, $70 in court cost, a $60 chemical test fee, and a DUI education course including a mandatory victim impact panel. If your blood alcohol level was just 0.18% or more or if you are under the age of 21, then you will be required to have a mandatory alcohol evaluation. You will lose your driver’s license for 3 months.

The second DUI within seven years also constitutes a misdemeanor. You will be required to pay a fine of $750, or the equivalent amount of community service hours, and serve a minimum of 10 days and up to 6 months in jail. You can lose your driver’s license for a year.

The third DUI within seven years is a felony, carrying one to six years in prison and a $2,000.00 to $5,000.00 fine. You can lose your driver’s license for three years.

Penalties will be more severe, including a mandatory prison term, if your drunk driving causes substantial bodily harm to another person, including injury to any passenger in your own vehicle.
**On Alcohol**

As most of you know, you must be at least 21 years old to purchase or drink alcohol in Nevada. Even if your parents or other adults provide or allow you to consume alcohol, Nevada law prohibits you from doing so before you are 21 years old.

If you try to purchase alcohol using a false ID you can be charged with a misdemeanor for false representation of your age. Misdemeanors are punishable by a fine up to $1,000.00 or a jail sentence up to 6 months.

Be aware that it is also a crime to give alcohol to individuals under the age of 21. You can be guilty of a misdemeanor for providing or selling alcohol to anyone under 21 years old, even if you are over 21 years old yourself.

Even if you are the legal drinking age, you cannot drink alcohol in public or in a park, unless there is a park or recreational facility permit that allows alcohol on the premises.

You also cannot have any open containers of alcohol in a vehicle, even if you are not drinking. This means that you may be arrested or cited, even if you are driving, and someone else in the car has an open container of alcohol.

Once you are 21 and allowed to drink, that’s not the end of your concerns. Alcoholism and binge drinking are dangerous problems that plague young Americans. While you have every right to choose to consume alcohol once you turn 21, you need to be careful to know your body’s limits, and how the substance will impact your perception and – more importantly – your ability to make informed decisions.

**On Drugs**

It is unlawful and a felony to use or possess controlled substances. It is also unlawful to possess paraphernalia related to the consumption of criminally prohibited controlled substances (drugs that are illegal), which is a misdemeanor.

While cannabis is legal for possession and recreational use by adults 21 under Nevada state law, possession of cannabis by a person under the age of 21 and use of cannabis in public is a misdemeanor. Possession and use of cannabis is also still a federal crime, so being on federal property (including national recreation areas like Lake Mead) and in possession of small ’personal use’ amounts of cannabis brings with it the risk of up to a year in federal prison and a $1,000 fine.

Any possession, selling, manufacturing or transporting of a controlled substance over 4 grams is considered drug trafficking. Possession for personal use is not an exception to the law. You face a fine of up to $50,000 and a mandatory prison sentence between one year to life. The prison time may be doubled for selling drugs at schools, playgrounds, public parks or recreational facilities for minors.

Nevada law prohibits you from giving your prescription drugs to someone else. Doing that is a felony. Prescriptions are considered controlled substances, meaning you can be charged for possessing them without a prescription, or for selling them in the same way one might be prosecuted if they were possession or selling cocaine or heroin. Huffing is also illegal. Using any drug, chemical, poison or organic solvent to get high is a misdemeanor.
Moving In & Out

Before you move in, know your rights and the rights of your landlord.

A lease is an agreement between the landlord (person renting you the apartment) and you (the tenant). The lease sets the conditions for renting the apartment. Leases may or may not be written. It is a good idea to request that the lease be written. A lease must be in writing if you agree to rent the apartment for longer than one year.

Most landlords require you to give a security deposit before allowing you to move into the apartment. This deposit is usually about the same amount as one month’s rent and is used by the landlord to pay for any damages to the apartment incurred when you are the tenant and left unpaid rent.

A landlord may not use a security deposit to pay for fixing “normal wear and tear” – condition of the apartment that resulted from normal everyday usage — to the apartment.

Make sure to ask the landlord to explain what will be considered normal wear and tear and what would be considered damages. A landlord must, within 30 days after you leave, return the full deposit amount or the remaining amount with an itemized list accounting for the lesser amount.

If you want to move you must give reasonable written notice to your landlord. If you signed a lease and you move out before that lease ends, you may be liable for remaining months of rent and additional charges. You can move out before a lease expires if you have a mental or physical condition – such as you are involved in an accident and can no longer climb the stairs—that requires you to relocate.
Renters & Problems

A landlord must maintain the apartment in a “habitable condition.” An apartment is not habitable if there is a major construction issue, i.e. no working sewage, no running water, or no working electrical outlets. A landlord is also responsible for the maintenance and upkeep of all common areas – outside stairwells, parking lots, swimming pools in an apartment complex.

If the landlord fails to maintain your apartment in a habitable condition or neglects the upkeep of the apartment’s common areas, you have the right to complain to the landlord and demand repairs. If these repairs are not made within a reasonable amount of time, you can withhold part of your rent until repairs are made, but there are special ways to do this, so you should consult a lawyer or housing / tenants’ rights agency first.

A landlord has the right to enter your apartment in emergencies like a fire or an overflowing bathtub. Any other times, the landlord must get your consent before entering your apartment. A landlord must give you 24 hours notice prior to entering. Even if giving notice, landlords may only enter at reasonable business hours (8 am – 5 pm). If you unreasonably refuse to give consent, the landlord can get a court order allowing entrance to your apartment.

Now that you are a renter your obligations as the tenant are to pay rent on time, keep the apartment clean and safe, and conduct yourself in a manner that will not disturb a neighbor’s peaceful enjoyment of their apartment. If you fail to pay rent on time, you may be charged a late fee in addition to the full rent amount. If you fail to pay any rent, a landlord can terminate your lease and evict you – force you to move.

An eviction is a court judgment that entitles the landlord to have a sheriff forcibly move you and your belongings out of the apartment. In some cases, a landlord may take some of your personal belongings to pay for the amount of unpaid rent you owe. An eviction will make it extremely difficult, if not impossible, for you to find another apartment to rent.

If you know you may have problems paying this month’s rent, talk to your landlord before the due date. Sometimes a landlord will agree to take a portion of the rent until you can make up the rest.
Tips for Renters

- **Know What You’re Signing**
  Actually read your lease - don’t just sign the lease. Read it over carefully and ask your landlord for explanations on things that are unclear. Often times, landlords hide additional expenses, like charging $100 for a lost key, in the lease so make sure to read all of it. Demand a copy of the signed lease for your own records.

- **Document Everything**
  Ask for rental receipts – proving that you paid the rent on time.

- **Track Your Issues**
  Write down complaints – try to always put in writing complaints to the landlord regarding needed repairs or problems you are experiencing with the apartment. Keep copies of those letters.

- **Getting Back Your Security Deposit**
  Document the condition of the apartment before moving in and after moving out – a good idea is to videotape or photograph the apartment before moving any of your stuff in and again when moving out. That way a landlord cannot lie about the condition of the apartment and unfairly charge you.

  One of the best methods for this is newspaper and email! Before you move any of your stuff in on your move-in date, buy a newspaper, film yourself with it showing the date and the headline, do a walkthrough of the rental on video, and then email yourself that video. *Be sure not to lose that email!* Then, repeat this process on the date you move out. That way, if you have any trouble getting your security deposit back, you can have evidence of the condition of the rental before you moved in and immediately after you removed all your stuff to move out!

  If you don’t have access to a camera, write down every single pre-existing condition (i.e. stains on rug) before moving in, give that list to your landlord, and keep a copy for yourself – most people keep these with their leases and other important documents.
Marriage

Nevada law isn’t focused exclusively on restricting relationships – it helps to facilitate them too. Under the law, upon turning 18 you can get married if you choose to do so. If you are dating someone in Nevada who is older than 16 but younger than 18 and you both wish to get married the law even allows for that. In that situation, you will first need to obtain your partner’s parents or legal guardian’s consent for the marriage first though, and have them complete the required paperwork.

Speaking of paperwork, if you wish to get married in Nevada you need to obtain a marriage license and have a marriage ceremony performed. Marriage licenses are typically obtained at Nevada’s state courthouses, and information for specific cities is easily found online. You will also need one witness for the ceremony – a person that isn’t getting married in the ceremony nor the person leading the ceremony.

In addition to love, marriage can improve the lives of couples in a number of ways. Think about the money! By filing a joint tax return (when two people file taxes together), you may be able to gain certain deduction and tax credits that save you a lot of money. If one of you has a job and the other doesn’t, filing joint taxes will allow the employed person to contribute to the unemployed spouse’s Individual Retirement Account.

You and your partner will also be able to share certain medical benefits like Medicare or disability insurance. Another medical benefit for married couples to consider is family leave – if your spouse gets sick, many employers will allow you to care for them as part of your employment benefits. This is especially important if you or your significant other are pregnant. Unfortunately, employers are less likely to let you use that time for someone you are dating, even in situations of pregnancy or the recent birth of a child. Still, marriage is not for everyone, and the choice is between you and any partner in an adult relationship that you develop.

Reproduction & The Law

If a sexual interaction you have with another person leads to a pregnancy, it does not matter whether or not you and the baby’s other parent are married. You are both responsible for the support, education, health care, and maintenance of the child. As parents, you are both responsible for the expenses of the pregnancy and eventual costs that come from responsibly raising a child.

If you decide not to support the child, the court may order you to do so. If you chose to ignore that order from the court then you may have your wages attached or a lien placed on your real or personal property (meaning the court will find ways to get the money you owe, even if you do everything you can to avoid it). If you move to another state, that new state will also recognize the order from Nevada.
Sexual Assault & Drugs

When discussing the topic of sex it is important to understand what sexual assault is. Sexual assault is any type of sexual activity that you do not consent to. When a person subjects another person to sexual penetration, or forces another person to make a sexual penetration on themselves or another, against the will of the victim it is a sexual assault. When a person subjects another person to sexual penetration under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of the conduct being made upon them, that too is sexual assault. When an individual has an ability to understand a situation and lawfully give someone else permission to engage in sexual activities with them, that permission is called consent.

A sexual assault can just as easily occur when the victim knows the perpetrator. Acquaintance rape – also known as date rape - is a form of violence people in their early twenties commonly experience. Date or no date, it is a sexual assault if one party says no. Consent can be revoked (taken away) at any time, including in the middle of sexual activities.

Individuals need to be aware that date rape drugs can pave the way for a sexual assault. Date rape drugs are drugs that may be slipped into an unsuspecting victim’s drink to render them physically helpless. The victim may have little or no reason to suspect that anything is amiss. Such drugs are often colorless and tasteless. And they may leave the victim unable to recall what took place.

A few of these drugs’ are:
- GHB – (gammahydroxybutyric acid)
- Rohypnol – (flunitrazepam)
- Ketamine – (ketamine hydrochloride)

Prescription sedatives, sleep aids, and pain medication can also all be used to aid a perpetrator in the commission of a crime of sexual assault.

You can be found guilty of two crimes for using date rape drugs on someone without their knowledge. One charge would be using a drug to aid in a crime, and the other charge would be sexual assault. Just using the drug in this manner is punishable for one to twenty years in prison.
Sex Crimes & Age

In Nevada, 16 is the age of consent – the age at which a person is considered to be legally competent to consent to sexual acts. If at any time after you’ve turned 18 you have a sexual relationship with someone that has not reached the age of consent, you can be charged with statutory sexual seduction. Until you are 21 years old, statutory sexual seduction is treated as a gross misdemeanor with consequences including up to a year in jail and up to $2,000 in fines.

If you are over the age of 21 and your partner is under 16, the charge of statutory sexual seduction will be classified as a category B felony in Nevada. In that case, your sexual activity can send you to prison for one to ten years, cost you up to $10,000 in fines. In both circumstances, you will also likely have to register as a sex offender for the rest of your life.

So what do dating apps have to do with the age of consent? If a minor intentionally deceives you about their age and you engage in sexual activity with them, you are still guilty of statutory sexual seduction. It doesn’t matter if they lied by listing a fraudulent age in a dating profile or if they showed you an amazing fake ID, and it doesn’t matter if you believed they were at least 16 years old. Nevada law is particularly unforgiving when it comes to statutory sexual seduction, so from a legal standpoint you want to be 100% certain that you know the age of someone you are sexually active with.

Deceit-by-app is not the only reason to concern yourself with age of consent and statutory sexual seduction laws. If you turn 18 and are in a relationship with someone who is under the age of 16, you can still be convicted of statutory sexual seduction. It does not matter if your relationship existed before you turned 18, nor does it matter if you and your significant other are deeply in love or if you plan on getting married. In the eyes of the law you will be guilty of a sex crime any time you engage in sexual activity with your significant other.

Perhaps you are dating someone that is under the age of consent but you trust each other completely and aren’t all that concerned with this matter. That will be fine…until it isn’t. Anyone can report a suspected case of statutory sexual seduction – if someone is jealous of your relationship with an adolescent minor, they can report you. If you get in a fight with an adolescent minor you are dating, they can report you. If your significant other’s parents don’t like you and learn about the relationship they are almost certainly going to report the situation.

A person who commits anything deemed to be ‘lewdness’ under Nevada law with a person under the age of 14 could spend a minimum of 10 years in prison. Individuals found guilty of statutory sexual seduction must register as a sex offender and face all the requirements associated with that registration.
Domestic Violence

Defining Domestic Violence
Under Nevada law, domestic violence occurs when a perpetrator (the person performing a violent act) has an ongoing relationship with the victim.

People that are involved in ongoing relationships and can therefore be charged with domestic violence if they commit certain acts between each other include people that are dating, married, divorced, living together (even roommates that aren’t romantically or sexually involved with each other) related by blood or marriage, people that have had a child with each other, or parent, guardian, and the young people they are legally responsible for or have some domestic relationship with.

Acts of violence that can result in domestic violence charges include battery, assault, and compelling another person by force or the threat of force to perform an act that the other person has a right to refrain from engaging in.

A knowing, purposeful or reckless course of conduct that is intended to harass the other person will also result in domestic violence charges in Nevada. This conduct may include, but is not limited to, stalking, arson, trespassing, larceny, destruction of private property, and carrying a concealed weapon around the party being harassed.

False imprisonment, unlawful entry into the other person’s residence, and forcible entry into the other person’s residence against their will if there is a reasonably foreseeable risk of harm to the other person from the entry are also forms of domestic violence that will be prosecuted with serious consequences in Nevada.
Keeping Abusers Away

Each community in Nevada will have their own procedures for obtaining a Temporary Protection Order (T.P.O.), however calling 2-1-1 is one way you might be able to find the information you need.

Once a T.P.O. has been granted, it is automatically forwarded to their office for service by the court, as long as there is a service address with which to serve the person.

Nevada law mandates arrest by a law enforcement officer who has probable cause to believe that an order of protection has been violated or who witnesses a violation, but an officer will not arrest an abuser who is subject to an order of protection if the abuser has not received notice of the order. If an arrest is made, the abuser will not be able to bail out of jail for at least twelve hours.

A T.P.O. can be extended for up to one year depending on the judge’s decision. This is called an Extended Order of Protection (E.P.O.). The abuser has to be notified of your application for an E.P.O. If you apply for an E.P.O., your T.P.O. will remain in effect until a hearing is held to determine whether you should be granted an E.P.O.

In a T.P.O., the judge can forbid your abuser from making any further threats against you, or from continuing to harass or injure you. If the court has jurisdiction over your children, it can award you temporary legal custody of them. The court can also order relief that it considers necessary to deal with an emergency situation. In addition to the remedies listed above, an E.P.O. can include the following types of relief:

- Restrictions on the abuser’s ability to communicate with you and your children;
- An award of custody and a requirement that the abuser pay child support;
- An order setting forth visitation arrangements and requiring visitation to be supervised by a third person if necessary;
- An order requiring the abuser to make rental or mortgage payments for your home; or
- An order requiring the abuser to pay all or part of the costs or fees (including restitution for injuries) you have incurred in obtaining the protection order.

Violation of a T.P.O. or E.P.O. is a misdemeanor punishable in civil court by a $500 fine and up to 25 days’ imprisonment, or in criminal court by a $1000 fine and up to 6 months’ imprisonment. If a crime is committed, the abuser could face additional criminal penalties.
Contracts, Responsibility, & You

Contracts are simply agreements made between two or more people. For a contract to be legally binding however all parties involved in the agreement have to voluntarily agree to the conditions of the agreement. For instance, your employer will make you sign a contract on your first day agreeing to pay you for the work you provide. It is very important to keep records of your agreements to protect yourself if the other party doesn’t hold up their side of the agreement, or if you’re wrongfully accused of breaking your commitment. Contracts may be oral or written and must be for a legal purpose.

What if the other person or business doesn’t keep their end of the contract? That’s referred to as a breach of contract. If you decide to pursue legal action, you must be able to provide evidence of that the contract existed between you and the party who broke it (even if it was a verbal agreement), be able to come up with evidence that the contract was broken, and show that you lost money or other valuables.

Small claims court is a type of court where people represent themselves for civil issues where the amount of damages in question is considered low by the state (each jurisdiction sets its own value as to what that amount is). Marriage matters might only be handled in a family court, that addresses issues of childcare, marriage, and divorce.

Sometimes contracts will have conditions called provisions that help prevent it from fully falling apart even if a part of the agreement is broken. A person who guarantees a debt agrees to step in and pay the debt in the event the party making the contract fails to do so.

As an example, you try to buy a car, you’ve only been at your job a couple of months, the dealer tells you “you need someone to guarantee the car loan.” Your parents can agree to help by guaranteeing the loan, meaning they also sign the contract and agree to pay whatever you still owe if you end breaking your commitment to the agreement, and any additional fees listed in that agreement. So, if you make payments on the contract like clockwork, then for some reason you cannot make the payments the lender will look to your parents to make the payments. Also, even if you file bankruptcy, the lender can go against your parents to collect on the debt.

Collateral is an item of value that is accepted by the lender as back-up payment in case you are unable to repay your loan. As an example, if you buy a car and agree to installment payments, the car itself may be the collateral. The lender could then repossess the car if you fail to make your payments. If the lender repossesses the car, it will then sell the car and seek any remaining balance due (deficiency) on the contract from you.
Tips Before You Sign...

When considering any contract, take some precautions:

- Read the contract completely before signing it.

- Do not sign anything until you fully understand the agreement.

- If you don’t agree with something in the contract, talk to the other party about altering or removing it. Initial any alteration made to the contract.

- Do not sign a contract with blank spaces – either fill them in or mark it N/A (not applicable) or cross them out. Initial any section of the contract crossed out.

- Be sure to keep a complete, signed copy of the contract (this includes the signature of all parties to the contract).
Credit, Spending, & You

Some people think checks, cash, and debit cards are better than using credit cards. There’s nothing wrong with using a credit card, as long as it is your controlling the card and not the other way around. Credit cards are not the same as cash — you may have to pay annual fees and other charges to use them. With some, you could even be charged interest for the time period between your purchases and your payment — even if you pay your bill in full. Bank and retailers set the interest and finance charges. Charges and fees vary, so pay careful attention to interest rates, fees, and policies regarding how those fees are calculated.

If you lose your credit card make sure to report the loss or theft immediately to the bank or company that issued the credit card. If you report the loss promptly, you will not be held responsible for more than $50 of unauthorized charges on the card.

A credit report is a summary of your debts and a history of how promptly you have paid your bills, your credit worthiness, credit standing and credit capacity. The information comes from the companies where you have credit accounts and from public court records. It is collected and stored by companies, often called credit bureaus, which make the information available to creditors whenever you apply for a loan or credit card or make a purchase on time payments.

Under federal law, you have the right to one free credit report every 12 months from each of three major credit-reporting agencies. Check your reports for inaccurate data that could hurt your ability to get credit or a loan. Also, incorrect information can be a red flag that someone is using your identity to get credit without your knowledge.
Classifications of Crime

Adults (18 years and above) can be convicted of three levels of crimes.

Crimes with the least (but still significant) consequences are called misdemeanors. Conviction of a misdemeanor can result in jail for up to six months, supervised release conditions that can last up to three years in some cases, and fines of up to $1000.

Gross misdemeanors have higher consequences than ‘general’ misdemeanors, and can land you in jail for up to a year, on probation for up to three years, or burden you with a fine of up to $2000.

Felonies carry the most significant consequences and generally result in people going to prison. Those felonies that are not life-sentences may include probation periods of up to five years.

The fines attached to felonies range can go well beyond a few thousands of dollars as well. A felony also remains on your record for years, and can cost you good jobs. Nevada punishes felonies severely, with many felonies qualifying for life sentences as a possible punishment for people convicted of committing them.

Some non-violent theft offenses can be gross misdemeanors or felonies. That decision is not made until sentencing. They are called “wobblers.” It is up to the Judge whether the person faces felony or gross misdemeanor penalties.

All theft-related convictions in Nevada require the court to order repayment to the victim for their losses from the crime. The repayment is called restitution. Restitution will also be ordered in cases where a victim requires medical treatment, or where children have to be removed by Social Services.

Nevada actually has several habitual criminal statutes. A declaration at sentencing that a person is a habitual criminal (multiple offender) exposes the person to much greater punishment than the crime for which they are being sentenced.

A person with prior conviction for serious felonies could face a sentence of life in prison. But, even some misdemeanors can be counted for the fraud-type habitual criminal. A person with the right number of prior convictions for theft, misdemeanor or felony, could be disqualified from consideration for probation, and could face imprisonment for a minimum of five years. If you thought shoplifting was a prank as a juvenile, get over it. Now, you know it can ruin your life.
Policing, Arrests, & You

While hopefully you are never arrested, possibly the most important thing you can remember is that when speaking with police, you must ask for an attorney. You cannot just say “Lawyer!” or “Not till I have a lawyer”. You must clearly request an attorney using language like “I do not wish to speak to you until I have an attorney. I would like a lawyer, and am requesting a lawyer for this situation” - you must actually ask for one.

So what happens if you are ever arrested?

Typically, you will be taken to a local jail for processing. Soon after your arrest Court Services will contact you. Court Services employees work for the Courts. Part of their job is to decide if you can be trusted to come to court as instructed if they release you without making you pay bail. If you are released without having to pay bail (called an “own recognition” release), you will be given requirements to check in, find or return to work, possibly attend self-help meetings and provide proof of attendance, and to stay out of trouble. You may be required to submit to testing for drugs and alcohol to show that you are not using.

A judge will review the paperwork submitted by the police, explaining why you were arrested. If the Court agrees that the police had sufficient legal reasons (probable cause) to arrest you, it will sign the document, which permits the State to continue its prosecution of you. An “initial appearance” will be scheduled for you. If you are still in jail, you will appear by video link to the Court. Normally, at your appearance you will not be asked to enter a plea. You will be advised of the charges against you, and given another court date. For a misdemeanor, that will be the trial.

For a gross misdemeanor or felony it will be a preliminary hearing. The Court will also ask whether you have an attorney. If you do not, and you advise the Court you want one to be appointed, you will be given paperwork to apply for a public defender. If you are legally indigent (cannot afford an attorney, based upon your income and ownership of property or other valuable items), Court Services will ask the Court to appoint an attorney to help you for any crime for which a jail sentence is possible. You will not be appointed an attorney for a speeding ticket – that is considered a civil infraction, and not a criminal matter.
Bonds, Bail, & You

If you’ve been arrested, you might be able to have someone bail you out. There are some cases for which bail is not set immediately – driving under the influence and domestic battery arrests keep the arrested person in custody for at least 12 hours before a release can be considered.

Bail is designed to guarantee that you will show up for your court dates. Bail can be posted by using a bondsman, or directly with the Court. If bail is posted through a bonding company, it is governed by contract laws. The company and the person posting the bail will sign a contract which explains what is expected of each of them, and you.

Usually a percentage of the total bail, plus paperwork fees and security (such as a car title) will be needed. When the case is over, as long as you have shown up in Court as ordered, the security will be returned to whoever posted the bail.

If bail can be posted in cash with the clerk of the Court and you show up, all of it will be returned, less fines and fees the Court imposes. So, if you can get released through court services or post cash bail with the Court, you will have more money returned to you or available to pay money the Court orders you to pay.
Police Mistreatment?

If you are being arrested, cooperate. Now is not the time to explain to the officer all the things you think they are doing wrong. You can, if you choose, protest and seek lawful remedies against the officer later. You could contact an attorney, a legal aid association or police review agency. But, you cannot fix the situation on the street.

Many people get in trouble thinking police are mistreating them, and then resisting arrest, when that may not have actually been the case. Fighting there, even if the police are wrong, could expose you to additional charges. In a worst case, you could be hurt physically, or killed.

If an unusually serious offense occurs you may want to investigate whether your Federal civil rights have been violated. You should contact an attorney experienced in handling such complaints.

Police may not handle every situation properly. But, you should keep in mind that a police officer’s behavior is often in response to provocation or a citizen complaint. Even if the citizen was mistaken or lying deliberately, that does not mean the officer is aware of that.

Police have to respond to reports of serious crimes, and investigate and an officer making a decision under pressure or doubt about what the law is, could make a mistake. Good police-community relations are a two-way street. Both must contribute to the solution.

Sealing Your Record

You may be able to get your criminal record sealed. A court can order a record sealed after a certain number of years have passed, and you have stayed out of trouble.

If an addiction played a role in your crime, you may be sentenced to diversion or drug court. In that situation, if you successfully complete counseling and other conditions set by the court, your record will be sealed.

A felony conviction for a crime against a child or a sexual offense cannot be sealed in Nevada.

Once a record is sealed you may legally tell future employers or school admissions officers, for example, that you have not been convicted. Some employers are permitted to inquire about arrests. If you apply for work in law enforcement or the military, you may be required to divulge your arrest.

In Nevada you must disclose even sealed records to the Gaming Control Board, and once a record has been sealed the police, probation department and Court cannot legally release information about it (There are procedures you can use to reach your sealed records if you need them).

Federal crimes have different rules. Normally, you can only have your civil rights restored after a Federal conviction if you obtain a presidential pardon.
Common Federal Crimes

- Transporting a stolen vehicle across state lines.
- Making a false statement to the U.S. government with intent to defraud. (If you cannot imagine this situation, think taxes).
- Mailing matter that is obscene or incites crime.
- Forgery of government checks.
- Possession of stolen mail and items – such as credit cards – which have been stolen from the mail.
- Robbery or burglary or a bank or savings & loan.
- In addition, Federal Courts handle all state law violations committed on government property, such as a national park or federal office building, and all crimes committed on Indian land.

Felonies, Consequences, & You

- You may be denied admission to a college or university.
- You may be prevented from entering the armed forces, or if accepted, you may be precluded from the best jobs, or from getting a security clearance.
- You will not be able to vote.
- You will not be able to work in businesses that require employees to be bonded.
- You may be denied a professional license.
- You will not be permitted to possess firearms.
- You may be denied recreational licenses, such as for hunting or fishing.
- You may be restricted from access to employment that could expose you to the temptation to re-offend. For example, a person who steals and has a gambling problem is likely to be ordered to remain away from casinos, except in very limited circumstances.
- If you are not a citizen, you may be deported from the United States, and prohibited from reentering.
A “Hate Crime” in Nevada is a crime that is committed against a person because of that person’s race, color, religion, national origin, physical or mental disability, or sexual orientation.

A hate crime can also be committed if the attacker believes that the victim is in one of these groups, even if the victim actually isn’t. For example, if a victim is attacked because the attacker thought that he/she had a different sexual orientation, the law would consider that a hate crime, even if the victim was actually not of a different sexual orientation.

While simply belonging to a gang is not a crime or a hate crime all by itself, the laws in Nevada do punish some gang activity like they punish hate crimes. For example, the law requires a court to double the punishment for a felony if that felony was committed with the specific intent to promote or assist criminal gang activity.

The law also requires the court to deny probation to a person convicted of a “gang crime,” meaning that the person must go to prison instead of trying to live out in the community on probation.

Additionally, a person on parole in the adult prison system can legally be denied permission to live or associate with anyone who is a known gang member.

Schools are also given the ability under Nevada law to prohibit gang activity by restricting gang clothing or symbols, and also restricting “any activity that encourages participation in a criminal gang or facilitates illegal acts of a criminal gang.”

Nevada law does not specifically criminalize hate crimes—a person would not be charged with an offense called a “hate crime.” Instead, Nevada law enhances the penalties for certain crimes if the crime occurred primarily because of the protected status of that victim. This means that a crime’s penalty is increased if the reason for the crime is that the victim was a minority, disabled, or of a different sexual orientation.

Depending on the original penalty available, a hate crime enhancement can mean an increase in the category of crime, or an increase in the amount of time a person can be sent to prison for such a crime.
First, minor crimes that are usually punished as a misdemeanor (maximum 6 months jail and/or a $1,000.00 fine) may be increased to a Gross Misdemeanor (maximum 12 months jail and/or a $2,000.00 fine, with formal probation available).

Examples of these offenses would include harassment, destruction of property, trespassing with intent to damage property, disturbing the peace or stalking.

A misdemeanor offense that often involves younger offenders is graffiti or tagging. While usually punished as a misdemeanor, if that graffiti is done on a church or other house of worship, a school or a cemetery, that crime can be punished as a gross misdemeanor. The law also requires the court to order “restitution” or money payments to the victim to pay for the damage caused to the property.

Second, more serious felony crimes like kidnapping, robbery or sexual assault will have increased penalties if the jury finds that the person committed his crime because of the victim’s minority status. The law allows the court to impose an additional consecutive sentence of between one and twenty years (the enhancement will not be longer than the sentence for the underlying offense).

Finally, Nevada takes hate crimes so seriously that a murder can become a death penalty case if it is found that the murder was based on any of the factors that have been discussed above.
Firearms, Laws, & You

When you turn 18, you are old enough to buy a rifle or shotgun. (You must be 21 to purchase a handgun). But, if you do possess or have any contact with a gun, be aware of the responsibilities, rules, risks and dangers associated with firearms.

On average, 8 children die each day in the United States as a result of gun violence. Suicide accounts for over half of gun deaths in the United States. In 2003, 16,900 Americans took their own lives with guns and 9 out of 10 suicide attempts with guns succeed. The same year, 11,900 Americans were killed by others using guns.

Violation of the laws regarding possession of weapons could result in your facing conviction for a misdemeanor and fines and/or jail. But, if you are convicted of using or having a gun while committing another offense, you could face prison. Use of a weapon during an offense doubles your sentence, and disqualifies you from asking for probation. In Nevada, if you use a gun or other dangerous weapon to commit a crime, you will go to prison.

Pointing a gun at someone is also a misdemeanor called “brandishing.” But, you could also be charged with assault with a deadly weapon, a felony which carries up to six years in prison. Using a weapon to defend yourself against an immediate attack is not a crime. But, you cannot start a fight and claim self-defense. You also cannot escalate a fight and successfully claim self-defense. You cannot shoot from a car, or toward a house, car, boat or aircraft. You cannot shoot in any congested area. You cannot shoot at any person.

When it comes to hunting you must have a license to hunt any bird or animal. When you get your license you will be advised of the times at which you can hunt. Hunting out of season is a crime for which you can be fined or jailed, or both.

Tips for Gun Ownership

- Take a gun safety course.
- Store your gun, unloaded, in a location that is secure.
- If you will be carrying your gun, concealed, get the proper permit, and keep it with you when you have the gun with you.
- Keep track of your gun. If it is used in a crime, even without your knowledge, it may be taken and destroyed, and, if you let someone use it, and they hurt someone with it, you could face a lawsuit to take your money or property to pay the injured person's damages.

If you feel suicidal or are experiencing thoughts of suicide, help is available. Call the National Suicide Hotline 24 hours a day, 7 days a week at 1 (800) 273-8255
Online Safety

Helping Others

Don’t give out personal information about yourself, your family situation, your school, your telephone number, or your address on the internet. Criminals look for victims on the internet because it is an unsupervised environment where they can hide their identity and be anyone they want.

When communicating with someone you meet online remember not everyone may be who they say they are. This is what has been commonly called “catfished.” For example a person who says “she” is a 13 year-old girl from California may really be a 50 year-old man from New York.

The creation, possession or distribution of child pornography (any image portraying sexual conduct by minors) is a felony. If you become aware of the sharing, use or viewing of child pornography online, immediately make a report to the National Center for Missing and Exploited Children CyberTipline at cybertipline.com or you may call 1-800-843-5678. The CyberTipline cross reports to as many agencies as needed, as these crimes often cross jurisdictional boundaries as well as worldwide if necessary.

Of course, if you are comfortable contacting federal authorities, you may also contact the nearest region FBI office.

Making Smart Choices

It is illegal to download certain information off the internet, pictures and music. The unauthorized use or duplication of copyrighted materials by downloading them off the Internet can also carry criminal and civil penalties.

Under the Digital Millennium Copyright Act, you could be facing up to five years in jail for a federal crime, charges of up to $150,000 per file, a number of civil suit fines if you are found liable in civil court, and any expenses you incur while mounting a legal defense to any of the criminal and or civil charges against you. You might be wondering why the penalties are so severe for file-sharing. That’s understandable. It can be hard to see how piracy - which doesn’t seem to hurt anyone – can have such severe criminal consequences.

The fact of the matter is that many people work hard to create the movies, TV shows, video games, and other product that people steal online. Music is not just the product of a few musicians in a room banging on some drums – a single song doesn’t reach your ears until it’s been in the hands of producers, sound engineers, marketing teams, and more. Often times hundreds of people are involved in the release of just 60 minutes of music.

The amount of people needed to make other digitally stolen products is even greater, and those people need to get paid too. Online piracy doesn’t just hurt some big faceless company – it impacts the lives of the hundreds of employees that put work into making that product as well.
Identity Theft

Criminals seek teen identities because the theft can go undetected for years until those young people begin actually using their credit. Identity thieves steal a person’s social security number, impersonates them to obtain credit cards and loans, and then never make payments leading to all sorts of problems that can take years to resolve. Left untreated, stolen identities can lead to unemployment and a cycle of being locked in poverty and constant financial, personal, and legal duress.

Steps to Protect Yourself:

- Protect your personal information, including your social security number and your mother’s maiden name.
- Never give personal information over the telephone unless you initiate the call.
- Never respond to e-mail requesting personal information or open e-mail attachments unless you know who sent them.
- Choose strong passwords and change them often, and use software to protect your computer from viruses and spies.
- Shop online only at reputable, secure websites, and be leery of ones that offer sweepstakes, contests and giveaways.
- Don’t post identifying information about yourself or your family on social media.
- Even paper matters, so shred important documents before throwing anything away, and check your credit reports annually.

Steps For Monitor Your Identity Security:

1) Go to www.annualcreditreport.com to find out. A free copy of your credit report is available once a year.
2) Students who have not used their social security numbers to obtain credit should have no credit report.
3) If a student does have a credit report, aliases, incorrect residential addresses and unauthorized accounts are indicators of identity theft.
4) You may also be a victim of identity theft if you find unauthorized charges on your credit card statement, unauthorized withdrawals on your bank accounts, or unauthorized long-distance calls on your phone bill.

If Your Identity May Have Been Stolen:

First, file a police complaint and then contact the Experian, Equifax, and TransUnion credit reporting agencies to place fraud alerts on your accounts and analyze credit reports.

Next, place all your bank and credit card accounts on hold and reset all your passwords from a new device that’s been checked for viruses and malware.

Finally, contact the Federal Trade Commission at FTC.com to and complete an ID Theft Affidavit.
The Good Samaritan Immunity Law & Being A Good Citizen

The Good Samaritan Immunity Law protects individuals from being sued if they administer CPR from a place of good faith. Individuals no longer have to worry about being sued if they try to save someone's life through CPR. Remember to continue administering CPR until the EMT’s arrive on the scene. Continuing CPR until they arrive is the difference between life and death for the individual that you are trying to save.

Helping people in immediate need isn’t the only way you can be a good citizen. Now that you’re 18, consider donating some of your time to a cause you care about as a volunteer!

One of the most surprising benefits to volunteering is that you will be more physically, mentally, and emotionally healthy than people who do not volunteer. Research conducted on behalf of the Corporation for National & Community Service discovered that “those who volunteer have lower mortality rates, greater functional ability, and lower rates of depression later in life than those who do not volunteer.”

Another benefit you may not have known about is that volunteering can help your career.

Employers view prospective employees with volunteer service on resumes and job applications as more reliable and committed to being hard workers. The professional benefits go well beyond appearances though. If you’d like to be paid for working in a position you’re not yet qualified for, finding a volunteer position with similar duties is an excellent way to get the experience required for the position. This can make the difference between getting a job you want and taking one you simply need to make enough to survive.

Of course the greatest benefit to volunteering isn’t what you get out of it; it’s how the community you’re serving benefits from your service and generosity. The world can already be an amazing place, but imagine living in one where everyone did something to make it better each day. Better yet, don’t imagine that—get started by volunteering in your community now.