# September 2023 · Nevada Lawyer

### One Hour of General CLE Credit Test 81

#### Is a Guardianship Over a Child with Special Needs Required?

- **1.** What is the primary purpose of a guardianship for a child with special needs?
  - **a)** To manage the child's disability benefits.
  - **b)** To terminate parental rights.
  - **c)** To provide emotional support to the child.
  - **d)** To make medical, financial, and education decisions for the child.
- **2.** When does a parent's financial responsibility for a child typically end?
  - **a)** When the child turns 18.
  - **b)** When the child graduates from high school.
  - **c)** When the child turns 19 or graduates from high school, whichever is later.
  - **d)** When the child becomes financially independent.
- **3.** Why might establishing a guardianship for a child with special needs be essential before emancipation?
  - **a)** To obtain child support from the state.
  - **b)** To ensure continuity of care and protection for the child.
  - **c)** To end the child's disability benefits.
  - **d)** To facilitate the child's transition into adulthood.
- **4.** What is the legal definition of "handicap" under Nevada law?
  - **a)** Any physical or mental impairment in a child.
  - **b)** Inability to engage in any substantial gainful activity due to a medical condition.
  - **c)** A child's inability to communicate effectively.
  - **d)** A child's inability to attend school regularly.
- **5.** If a parent seeks child support beyond the age of emancipation for a child with special needs, what can they do?
  - **a)** Request a vocational assessment for the child.
  - **b)** File for guardianship automatically.
  - **c)** Apply for disability benefits for the child.
  - **d)** Seek financial support from relatives.

- **6.** Does a child automatically qualify for guardianship upon emancipation if they have a disability?
  - a) Yes, it is an automatic process.
  - **b)** No, evidence of the disability's impact is required.
  - **c)** Yes, if the child is unable to support themselves financially.
  - **d)** No, the child must apply for guardianship themselves.
- **7.** What alternatives to guardianship might the court consider?
  - a) Custodial orders
  - **b)** Supported decision-making agreements
  - **c)** Child emancipation
  - **d)** Social security benefits
- **8.** What must a petitioner show to grant a guardianship for a child turning 18?
  - **a)** The child's academic achievements.
  - **b)** Evidence of the child's physical health condition.
  - **c)** Proof of the child's financial independence.
  - **d)** Clear and convincing evidence of incapacity.
- **9.** How can a petitioner demonstrate a child's incapacity for a guardianship?
  - **a)** By obtaining a letter of recommendation from a teacher.
  - **b)** By showing evidence of vocational assessments.
  - **c)** By providing a physician's affidavit and relevant records.
  - **d)** By demonstrating the child's high level of self-care.
- **10.** What is the benefit of establishing guardianship over a child with special needs?
  - **a)** To terminate child support obligations.
  - **b)** To transition the guardianship from minor to adult.
  - **c)** To receive disability benefits for the child.
  - d) To obtain custody over the child's financial assets.

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