



*Becoming an Adult
in Kentucky*



An Education Outreach Program of
YOUNG LAWYERS DIVISION
KENTUCKY BAR ASSOCIATION

CONGRATS!

YOU ARE ABOUT TO TURN 18!

You are probably very excited to officially be an **ADULT**. You may also be looking forward to independence and freedom.

When you are under the age of 18, your parents or guardian are responsible for you. Now that you are 18, you are responsible for yourself! During this exciting time, it is important that you also understand your rights and responsibilities as an adult. We hope this booklet will help you to be a successful, happy, and productive adult.

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EMPLOYMENT

Reaching the age of 18 means a lot of new freedoms. One of them may be financial independence, and you probably will need to find a full or part-time job. You should be informed of your rights as an employee. One of the easiest ways is to read and understand the employee handbook, if one is provided to you. The following is a list of some other important rights you have as an employee.

DISCRIMINATION

Remember that you can be fired at any time by your employer, and for any reason except the following:

- You can't be fired on the basis of your race, religion, nationality, age, disability, or sex.
- You can't be fired for filing a worker's compensation claim. If you feel you have been discriminated against on one of these bases (either in being fired or hired), contact the Kentucky Human Rights Commission at (800) 292-5566. **You have six months to file a complaint.**



GETTING PAID

The best part of working? The paycheck! Before you accept the job, be sure that you understand how you will be compensated. The federal government sets a minimum wage. Read and understand your employer's overtime policies. **Always read your paycheck carefully to make sure that you have been paid for all your time.**

TAXES

Before you start a job, expect to fill out a W-4 form. This is a federal tax form that helps your employer figure out how much tax will be taken out of your paycheck. Be aware that several different taxes will be withheld on your paycheck: federal income tax, social security tax, Medicare, and state income tax. By the end of January each year, your employer must provide you with a W-2. This form will show the total wages you earned the previous year, and all taxes you paid. You should receive a different W-2 for each job you have. **Keep these forms: you will need them to prepare your annual tax return.**



UNEMPLOYMENT PROTECTION

You finally find a good job, but then the company closes—now what? If you are laid off or discharged through no fault of your own, unemployment insurance provides you some income for a limited period of time. **Should you be in this position, contact your local state employment office.**

RELATIONSHIPS

GETTING MARRIED

Before you can get married, you will need to obtain a license from the county clerk in the county where you live. Persons under the age of 18 must obtain permission from their parent or guardian to be married. Once you have the license, you have 30 days to get married; otherwise, the license expires. **In Kentucky, a marriage must be performed by one of the following: a minister, priest, rabbi, judge, justice of the peace, or county judge executive.** You will also need at least two witnesses present.



As a married couple, you are liable for the support of your spouse and any children. You are not liable for debts incurred by your spouse before the marriage. However, you are jointly liable for debts incurred during the marriage. For this reason, it is important to communicate openly with your spouse about all financial matters.

DOMESTIC ABUSE

The best marriages provide support and love for both spouses. Unfortunately, not all relationships are healthy. Abuse occurs frequently. Domestic violence includes physical harm, as well as threats. If you are involved in an abusive relationship, the court system can help you.

You can file for an emergency protective order (EPO) in your county's district court. You are eligible to obtain an EPO against your spouse, or your boyfriend or girlfriend if you live with that person or have a child with that person. An EPO will prevent your abuser from coming in contact with you for 14 days. During that 14 days, the judge will hold a hearing to decide if a permanent protective order, called a domestic violence order, is necessary.

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RELATIONSHIPS

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CHILDREN

Having a child comes with a lot of responsibility. You have a duty to your child even if you are not married to the other parent. A primary responsibility is child support—money paid by one parent to the other to help provide the necessary care for the child. Child support must be paid until the child is 18 years old or graduates from high school. A court will order child support to be paid once it is established who the child's parents are.

As a parent, you also have a duty to protect and care for your child. This duty includes protecting your child from abuse and neglect. If you know or believe that your child is being abused or neglected by someone, you must contact the police. If your belief is honest, you cannot be prosecuted for reporting abuse or neglect.



DIVORCE

Not all marriages work out. If you find yourself in this position, remember that Kentucky has a “no fault” divorce policy. That means only one person in the marriage needs to ask for a divorce, even if the other spouse doesn't want the divorce. You should also be aware that there must be a period of separation before a divorce will be granted by the court. If there are no children, then the period of separation is 20 days. If you do have children, the period of separation is 60 days.

If you are getting a divorce, remember that you may be required to pay spousal support, also called “alimony.” Spousal support replaces the financial support that would have been provided if the marriage had continued. It is often granted when one spouse cannot support himself or herself, or when one spouse made significant financial sacrifices to benefit the other spouse during the marriage. If at all possible, it is best to speak with an attorney if you are considering a divorce.



BUYING A CAR & DRIVING IT

CLOSING THE DEAL

Because it is a major and long-term decision, you should make the choice to purchase a car very carefully. One part of the decision is whether to buy a new or used car. Unless the used vehicle comes with a warranty, it is sold “as is.” This means that the seller is not responsible for any defects after the sale—so have the vehicle looked over by a good mechanic before you buy. Kentucky law requires the used car dealer provide you with the name and number of the car’s previous owner, so that you can check on the car’s history.

THE DRIVER’S RESPONSIBILITIES

You are responsible for everyone’s seatbelt in the car. When you are driving, if a passenger in your car isn’t wearing a seatbelt, or a child is not in an approved car seat, you can receive a ticket. It is also against Kentucky law to drive with an open container of alcohol in your vehicle, even if it isn’t yours.

INSURANCE

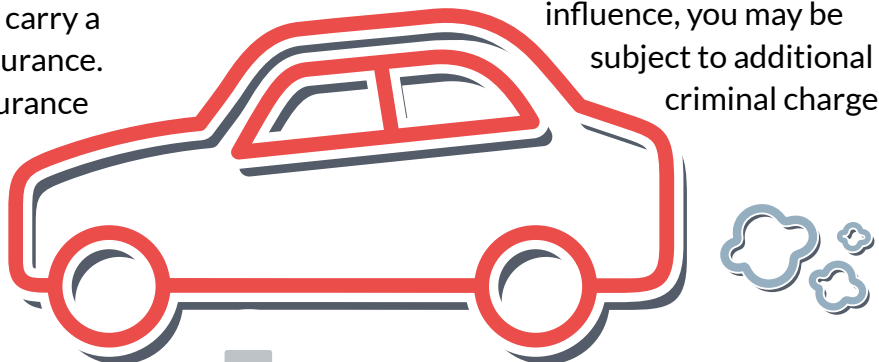
Kentucky law requires that you carry a minimum amount of liability insurance. You must also have proof of insurance in your vehicle at all times. The failure to have insurance can result in penalties including loss of your driver’s license.

ACCIDENTS

If you are involved in a car accident, you must stop and assess the damage. If someone is injured, you must also call for help if you are able. In most car accidents, you should call the police to report the accident.

DRINKING AND DRIVING

Drinking and driving is a lethal combination that causes needless accidents and deaths in Kentucky every year. Never drive when you are under the influence of either alcohol or drugs. As a driver, remember that the legal blood alcohol limit in Kentucky is 0.08. However, if you are under the age of 21, the legal blood alcohol limit is 0.02. This is about the amount of alcohol that would be in your blood after only one drink. Driving under the influence (DUI) is punishable by fines, jail time, and loss of your driver’s license for up to three years. You will also experience a substantial increase in your insurance rates. If you injure another person or property while you are driving under the influence, you may be subject to additional criminal charges.



MONEY & CREDIT



Money makes the world go 'round, right? Well, maybe not—but it is important to handle your finances wisely. Bad financial mistakes can haunt you for years. With a little knowledge and discipline, you can avoid these mistakes.

BANK ACCOUNTS

When you are 18, you are eligible to open a bank account in your own name. It is a good idea to begin a banking relationship as soon as possible. Be sure to shop around—there are many banks in Kentucky and each offers different types of accounts. Examine each bank carefully to find the best one for you, and ask questions. Does the bank require you to maintain a minimum balance? Does the bank charge a fee for each check you write? Does the bank offer you an ATM card with your account?

Your bank will mail or email you a monthly statement for each account you have. Look over the statement each month to make sure that the bank's report matches your receipts and checks. Notify the bank promptly if you think there has been unauthorized activity on your account.

BOUNCING CHECKS

If you open a checking account, you will receive a checkbook and check register. Each time you write a check, record it in your check register. By keeping an accurate check register, you will know how much money you have in your account and you will avoid “bouncing” a check.

Bouncing a check occurs when you do not have enough money in your account to cover the check. Your bank may charge you a penalty fee if you bounce a check, and the person or company attempting to cash the check may charge you another penalty fee. In addition, bouncing a check is a crime if you do not make good on the check within ten days. If the amount of the bounced check is over \$300, it may even be a felony offense.

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MONEY & CREDIT

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CREDIT CARDS: FRIEND AND FOE



When you turn 18, chances are that you will begin to receive offers for credit cards. With a credit card, you can make purchases and repay the credit card company later. If you pay within the grace period, you will not have to pay interest on your purchase. For this reason, credit cards are an excellent way to establish good credit in your name.

However, people often find themselves in serious financial problems because they purchase more than they can repay within the grace period. If you cannot pay within the grace period, interest will be assessed, sometimes at a very high rate. It is important to carefully read the contract when you apply for a credit card. The contract will tell you what your interest rate is. Be very careful making purchases on a credit card, because the balance on a high interest card can accumulate very quickly, making it more and more difficult to pay off the debt.

CREDIT RATINGS

Your credit rating is a number between 200 and 800 that “grades” your credit history. Your credit history includes whether you have paid your bills on time, the amount of credit card and other debt you carry, and bank account information. Credit agencies get information from your credit cards, banks, and landlords to assess your credit rating.

Your credit rating is something to be taken very seriously. It can affect whether you can get a car loan, apply for a credit card, or buy a home. Credit mistakes—such as paying a bill over a month late, even once—can affect your credit rating for up to seven years. The best way to maintain a good credit rating is to keep your debt low and pay all your bills on time.



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MONEY & CREDIT

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WHEN YOU CAN'T PAY THE PIPER

If you do not pay your creditors, they may take you to court. This may result in a court judgment against you. A judgment is a court order to repay your creditor. It also authorizes the creditor to get the money owed, either through repossession or garnishment. You cannot avoid a judgment simply by moving to another city or state.

Repossession is when a creditor takes back the property that is the subject of the contract. For example, if you finance the purchase of a vehicle and fail to make the monthly payments, the creditor may repossess (take back) the vehicle. Garnishment is when the creditor is permitted to take a portion of your salary directly out of your paycheck each pay period. Wage garnishment can continue until the debt is repaid.

BANKRUPTCY

People declare bankruptcy when they cannot pay all of their debts. Bankruptcy is based on federal law and you must file it in federal court. There are several different types of bankruptcy depending on your particular situation. It is best to get the advice of an attorney if you find yourself in financial trouble and are considering bankruptcy.

Bankruptcy comes with the good and the bad. It can help you achieve financial stability by discharging certain of your debts. It might also bring you some piece of mind by giving you a “clean slate.” However, bankruptcy should never be considered an “easy out” because it comes at a high price. Bankruptcy will appear on your credit report for many years, and cause you to have a low credit rating. This will also affect your ability to get loans, credit cards, and even certain jobs in the future. In short, bankruptcy should only be considered a last resort.

CONTRACTS

Persons over the age of 18 can enter into a contract. A contract is simply an agreement between two or more people to do something, or not to do something. The agreement usually must be in writing, but may be verbal in some circumstances. However, it is always best to put any agreement in writing.

READ IT OR WEEP!

If a dispute arises over a contract, the written terms of the contract will dictate what happens. A court will not let you say that you didn't understand the contract!

For this reason, it is very important to **ALWAYS** read and understand a contract before you sign it. Make sure the written contract accurately reflects the agreement.



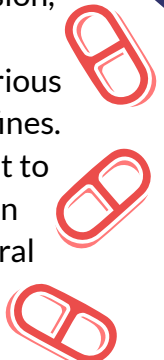
ALCOHOL & DRUGS

The laws concerning alcohol and drugs are very simple to understand. **You must be 21 years of age to drink any alcoholic beverage in Kentucky or to enter any bar or liquor store.** It is against the law to use a fake I.D. It is also against the law to ask someone who is 21 or older to buy alcohol for you. By violating any of these laws, you face criminal charges and penalties, including possible loss of driving privileges.

The laws concerning drugs are also very simple. **It is illegal to possess, sell, give, or make any controlled substance.** Controlled substances include many "street" drugs such as marijuana, cocaine, methamphetamine, ecstasy, and LSD, amongst others. But controlled substances also include prescription medicines that are

not being used according to a doctor's prescription. That means it is illegal to consume or possess another person's prescription medicine.

Drug convictions are serious business—whether the conviction is for possession, driving while under the influence, or selling drugs. Drug offenses carry serious penalties, including prison time and fines. A drug conviction can make it difficult to get certain jobs. A drug conviction can also prevent you from receiving federal student loans.

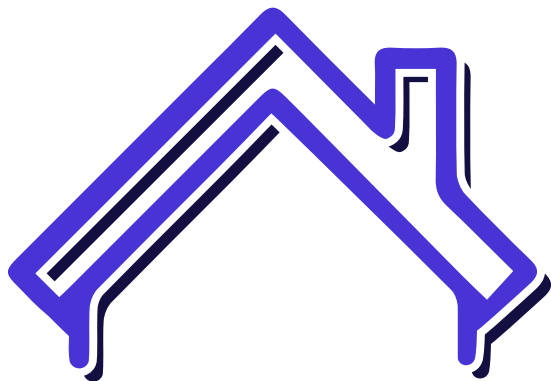


LIVING ON YOUR OWN

After turning 18, most people begin to think about living on their own. This may be the first time that you have lived without your parents or a guardian, and you will enjoy many new freedoms and responsibilities when you lease or purchase your first apartment or home.

RENTING

If you rent an apartment or house for a period of more than one year, you will be asked to sign a rental agreement (i.e., a lease). A rental agreement simply sets out the details of the relationship you will have with your landlord. It will specify the monthly rent, the amount of your security deposit, and when the agreement terminates. It is important to understand your responsibilities and the landlord's duties before signing the agreement, so read it carefully and ask questions. For example, are the utilities included in the rental fee, or are you responsible for those? When is the rent due every month? Is there a penalty for a late rental payment? Are pets allowed?



SECURITY DEPOSIT

When you sign a rental agreement, you will be asked to submit a security deposit. The landlord keeps this money the entire time you rent the property. When you move out, the landlord will inspect the property for damage. If there has been no damage, the security deposit will be returned to you, plus interest. If there is damage, the landlord may use the security deposit to pay for the repairs. A landlord may also keep your security deposit if there is past-due rent owed. Because landlords and tenants often dispute damage to the property, it is wise to write down or take photographs of any damages on the property that existed before you moved in. It is also a good idea to do a “walk-through” with your landlord when you are moving out, so that you can discuss in person any damage to the property.



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LIVING ON YOUR OWN

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LANDLORD DUTIES

The owner of your apartment or house, the landlord, has certain basic duties to all of his or her tenants. The landlord must maintain the building and all of its “systems” (heating, plumbing and electricity) in good working order. The building must also comply with all applicable building codes.

Once you have signed the rental agreement and received the keys, your landlord does not have the right to enter without your permission unless it is an emergency. Otherwise, your landlord must have your advance permission to enter, such as in the case of repairs.

TENANT’S DUTIES

As the tenant, you have the responsibility to keep the property in reasonably good condition. This means that you should keep the property exactly as you received it, aside from normal wear and tear. You have the duty to pay your rent on time, and to follow the terms of the rental agreement. Finally, you also must give your landlord notice if you plan to move out, usually 30 days in advance. **Be aware:** if you move out before the end of the rental agreement, you are still responsible for paying the rent each month until the landlord is able to rent the property to someone else.

EVICTION

A landlord may evict you if you do not pay the rent. To evict a tenant, the landlord must file a complaint with the court. The landlord must also give the tenant written notice that he is being evicted. After the tenant receives this notice, he can either pay the past-due rent or be forced to move out. Be aware that a landlord may also evict a tenant if the tenant is not maintaining the property in a safe manner, or if the tenant is doing something illegal on the property. If your landlord has begun eviction proceedings against you, consult with an attorney to make sure your rights are protected.

CRIME & PUNISHMENT

*If you commit a crime after turning 18, you will be prosecuted in adult criminal court. As a citizen, it is vitally important to understand the criminal justice system and your rights. In Kentucky, there are 3 types of offenses: **felonies**, **misdemeanors** and **violations**.*

FELONIES

Felonies are offenses that carry a possible sentence of at least one year in prison or jail. There are five types of felonies, divided by the possible sentence:

Capital offenses: this is a crime for which the death penalty could be given

Class A: possible sentence of 20 years to life imprisonment

Class B: possible sentence of 10 to 20 years in prison

Class C: possible sentence of 5 to 10 years in prison

Class D: possible sentence of 1 to 5 years in prison



MISDEMEANORS

Misdemeanors are offenses, other than traffic offenses, for which a maximum sentence of 12 months may be imposed.

There are two types of misdemeanors.

Class A misdemeanors carry a possible maximum sentence of 12 months. Class B misdemeanors carry a possible maximum sentence of 90 days.

VIOLATIONS

Violations are offenses, other than traffic violations, for which only a fine may be imposed.

ARREST

If you are arrested, that means that the officer has probable cause to believe that you have committed a crime. An arrest warrant is not necessary unless you are being arrested in your home. If you are being arrested, first calm down—it is best to cooperate with the officers! If you struggle or otherwise interfere with the arrest process, you could also be charged with resisting arrest, disorderly conduct, or menacing.

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CRIME & PUNISHMENT

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YOUR RIGHTS

You have certain rights when you are being arrested. First, the police officer must inform you of the reason for the arrest. You have probably already heard of your Miranda rights on TV or in the movies. These are the rights the police officer will tell you while you are being arrested.

You have the right to remain silent. During your arrest and while you are in police custody, you do not have to make any written or oral statements. If you choose to speak without an attorney present, be aware that anything you do say can be used against you in court.

You have the right to an attorney. An attorney is tremendously important in criminal matters because your attorney can protect your rights. Your attorney can be present with you in courts, and also when you are being questioned by the police. To exercise your right to an attorney, you must clearly inform the police that you want to speak with a lawyer. If you cannot afford an attorney, a public defender will be appointed to you at no charge at the arraignment.



WHAT'S NEXT?

After you are arrested, you will make an initial appearance in court. You will be read the charges against you, and appointed an attorney if you need one. The judge will also decide if you should be released. In deciding whether or not to release you, the judge will consider the severity of the charges against you and the likelihood that you will return for your next court date. The judge may consider whether you have ties to the community such as family, whether you have a job in the area, or whether you have a prior record. The judge will also decide whether to require bail. Bail is money or property that you give to the court in order to make sure that you will appear at your next court date. If you do not appear at your next court date, your bail money or property is forfeited. In addition, by failing to appear, you have committed another offense.

POWER TO THE PEOPLE

YOUR CIVIC DUTIES

As an adult and as a citizen, you have certain civic duties, including jury duty and voting. As you know, our system of democracy is based on every person's right to vote. Likewise, our court system is based on the jury system—that is, the right to have your case decided by a jury of your peers. It is very important to understand both duties.



JURY DUTY

At some point during your adulthood, you will probably be asked to serve on a jury. Anyone who is 18 years old and is a resident of the county can be asked to serve jury duty. You can be excused from jury duty if you do not speak English, if you have already served within the previous year, or if you are a convicted felon. You may also be excused if you can show that it would be an extreme inconvenience or hardship for you. Anyone serving jury duty will be paid a small fee. Be aware that you cannot be fired for serving jury duty, even if it means you have to miss work.

While many people think of jury duty as an inconvenience, it is actually one of the most important duties of a citizen. It can also be very interesting. If you are selected to be on a jury, you bear the important duty to hear all the evidence presented and reach a verdict. You will be given as much time as necessary to reach a decision, and all of the jury's discussions are kept confidential—even from the judge. As a juror, you have the power to decide the case!

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POWER TO THE PEOPLE

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VOTING

Voting is our way of selecting our local, state and national leaders. It is confidential and entirely your own choice—no one can vote for you or tell you how to vote. Unfortunately, far too many people fail to exercise this important right. **Let your voice be heard: VOTE!**



In Kentucky, you must be 18 years old to vote. You also must complete a voter registration card. This can be done at your county clerk's office, at your high school, and at the driver's license office, among other places. Registration must be completed 28 days before the election.

When you register to vote, you will be asked to choose a political party. You may register as a Democrat or Republican, or as an Independent. In May, the political parties hold primary elections to choose their candidates for the general election in November. In order to vote in the primary election, you must be a registered member of that party. In other words, if you register yourself as a Republican, you will not be permitted to vote in the Democratic primary election. Persons registered as Independent will only be permitted to vote in non-partisan elections in May (such as judges and school board officials). In the general election, however, you can vote for whoever you want, regardless of the candidate's party affiliation.

MILITARY SERVICE

All males must register for military service when they turn 18 years old. This can be done at any post office. No one is being called into military service at this time—but registration is still required.

Any adult may sign up for voluntary service. Because no one is being called to military service right now, our armed forces depend on people who voluntarily sign up. You may get assistance in paying for school or school loans, mortgages, health care, and medical care. You will also receive valuable training as part of your military service. Most important, you will be providing an invaluable service to your community and your country.

If you are considering voluntary service, remember that it is a serious commitment. Your decisions should not be made hastily. Once you sign the documents to enter the armed forces, it is often impossible to change your mind. Leaving the military without permission is a major offense with serious consequences. Your local armed services recruiting office will be able to provide you with valuable information to help in your decision.



RESOURCES

FAMILY RESOURCES

To report the abuse or neglect of a child:
Abuse & Neglect Hotline 1-877-597-2331

To get help with alcohol or drug abuse:
Substance Abuse Crisis Hotline
1-800-729-6686 or 1-800-432-9337

To get help preventing the suicide of yourself, a family member or friend:
Suicide Prevention Hotline
1-800-273-TALK

To get answers collecting child support:
Child Support Hotline 1-800-248-1163

To report domestic violence or to seek a shelter:
Spouse Abuse Shelton Hotline
1-800-544-2022

To report a rape or sexual abuse:
Rape & Sexual Abuse Hotline
1-800-656-HOPE

CONSUMER RESOURCES

To report fraud or other issues of consumer protection:
Consumer Protection Hotline 1-888-432-9257

EMPLOYMENT RESOURCES

To inquire about unemployment benefits:
Unemployment Insurance 502-564-2900

To get answers regarding worker's compensation:
Worker's Compensation Board
502-564-6847

LEGAL RESOURCES

To find out how to contact a lawyer:
Western Kentucky
Kentucky Legal Aid 1-800-782-1924

Northern and Central Kentucky
Legal Aid of the Bluegrass 859-431-8200

Eastern Kentucky
Appalachian Research and Defense Fund of Kentucky, Inc. 1-866-277-5733

To find your local public defender's office:
Department of Public Advocacy
(Public Defender) 502-564-8006

