



## NEVADA

# EXTENDED ORDER FOR PROTECTION AGAINST HIGH-RISK BEHAVIOR

## A GUIDE TO THE PROCESS



Bloomberg American  
Health Initiative

Information on this website does not constitute legal advice. Every factual situation is unique; if you want legal advice specific to your particular circumstances, please consult knowledgeable counsel.

## NEVADA

# Extended Order for Protection Against High-Risk Behavior Process

### FILE EXTENDED ORDER FOR PROTECTION AGAINST HIGH-RISK BEHAVIOR PETITION

Go to court and file a petition describing why the respondent poses a risk of causing personal injury to self or others by possessing, having custody or control of, or by purchasing or otherwise acquiring any firearm.

### SERVE THE RESPONDENT

A sheriff or a person who is at least 18 years of age and not a party to the action serves the respondent with a copy of the petition for an Extended Order for Protection Against High-Risk Behavior and a notice of the hearing.

### EXTENDED ORDER FOR PROTECTION AGAINST HIGH-RISK BEHAVIOR HEARING

The court issues an Extended Order if it finds, by a clear and convincing evidence, the respondent poses a risk of causing injury to self or others by possessing, having custody or control of, or by purchasing or otherwise acquiring any firearm, has engaged in high-risk behavior, and less restrictive options have been exhausted or are not effective.

### EXTENDED ORDER FOR PROTECTION AGAINST HIGH-RISK BEHAVIOR ISSUED

If the respondent is present at the hearing, they receive the Extended Order while in court.

If the respondent is not present at the hearing, law enforcement personally serves the respondent with a copy of the Extended Order and files with or mails to the clerk of court proof of service by the next business day after service is made.

An Extended Order is in effect for up to 1 year.

### COMPLY WITH EX PARTE ORDER FOR PROTECTION AGAINST HIGH-RISK BEHAVIOR, DISPOSSESS FIREARMS

Immediately upon service of the ex parte order, the respondent surrenders any firearm in their possession, custody, or control to law enforcement or a person who does not reside with the respondent.

The respondent also surrenders any concealed carry weapon permit.

Firearms removed upon service of the ex parte order remain in effect for the duration of the Extended Order.

### Authorized petitioners in Nevada include:

- Law enforcement
- Family or household members (including persons with a child in common, domestic partners, and persons in a dating relationship)

### UPDATE BACKGROUND CHECK SYSTEM

After an Extended Order for Protection Against High-Risk Behavior is issued, the court submits a copy of the Order to the Central Repository for Nevada Records of Criminal History and sends a copy to the Nevada Attorney General.

### DISSOLVE OR RENEW EXTENDED ORDER FOR PROTECTION AGAINST HIGH-RISK BEHAVIOR

The petitioner or respondent may request the dissolution of an Extended Order.

Not less than 3 months before the expiration of an Extended Order the petitioner may request renewal for up to 1 year.

### UPDATE BACKGROUND CHECK SYSTEM

If the Extended Order for Protection Against High-Risk Behavior is no longer in effect, the respondent may petition the court for an order declaring that the basis for the extended order no longer exists.

If the petition is granted, the court transmits the petition to the Central Repository for Nevada Records of Criminal History to remove the Extended Order from the respondent's record.

### RETURN FIREARMS

Law enforcement returns any surrendered firearms to the respondent no more than 14 days after the dissolution of the Extended Order and after confirming the respondent may lawfully own or possess a firearm.