

# Hey, I'm 18!

Presented by:  
Jessica J. Sauer, Esq. of The Sauer Law Firm LLC  
on behalf of the Mercer County Bar Association

# Hey, I'm 18!

- This is an advisory program to provide you with general knowledge of issues you are likely to encounter in adulthood.
- It is NOT designed to be legal advice for any specific situation, as special exceptions may apply that we do not have time to address in a brief presentation
- It is NOT designed to take the place of talking with your parents and other trusted adults about the topics discussed

## *A guide explaining your legal rights and responsibilities as a young adult*

*“Hey, I’m 18!” is a public education project undertaken and developed by the Mercer County Bar Association to provide a reference for young adults to explain their legal rights and responsibilities. The project epitomizes the Bar Association’s desire to educate the general public – especially young adults. The Mercer County Bar Association wishes to acknowledge the support of the following, without whose support “Hey, I’m 18!” would not be possible:*

- Mercer County Prosecutor’s Office Angelo J. Onofri, Prosecutor
- Jessica Sauer, Esq. The Sauer Law Firm LLC

### INTRODUCTION

In New Jersey, the age of majority – the age at which the law considers you an adult – is 18. The law extends to persons 18 years of age and older certain “basic civil and contractual rights and obligations.”

As a young adult, you now have the right to contract, sue, be sued and defend civil actions, obtain public employment, be granted a license for a business or profession, serve on a jury, marry, adopt children, participate in legalized gaming (except casino gambling), sell alcohol (although you can’t purchase or consume it until you’re 21), consent to medical treatment, execute a will, and inherit, purchase, mortgage and sell property.

“Hey, I’m 18!” is designed to explain many of these legal rights and responsibilities. It is not designed to be a legal opinion on any specific facts or circumstances, but it is intended to provide you with general information so that you will know to contact the appropriate agency or attorney with any specific legal questions you may have.

# What are you most looking forward to about turning 18?

Voting

Getting a tattoo

Heading to college

Moving out of my parent's house

Not having to complete permission slips

Having a greater sense of control over my choices

# RIGHTS & RESPONSIBILITIES: VOTING

- Must register at least 21 days in advance and live in the state for at least 30 days to be eligible to vote
- You cannot vote while you are incarcerated after being convicted of (or if you are on probation for) certain felonies. In other states, a felony conviction could take away your right to vote indefinitely!
- Register to vote through the NJ Division of Elections, your municipal clerk's office, the MVC, or [www.NJElections.org](http://www.NJElections.org)
- Please educate yourself about the candidates before voting - our future is in your hands.

# RIGHTS & RESPONSIBILITIES: CONTRACTS

- As an 18-year-old, you are now able to enter into binding contracts such as applications for credit, loans, or insurance policies. These contracts may be written or implied and you are bound by the terms of the agreement.
- As an adult, it is presumed that you know what you are signing, have read the document and agreed to sign it. You no longer have the right to disaffirm and be relieved of any contractual obligations merely because of your age, so think before you act.
- You can now be appointed to serve as the executor of an estate or as an agent under a power of attorney.

# RIGHTS & RESPONSIBILITIES: MILITARY SERVICE

- All 18 - 26 year old males are required to register for military service.
- You must register within 30 days of your 18th birthday and may do so by filling out forms available at your local post office. You can also register online at [www.sss.gov](http://www.sss.gov). The form is returned to you and you will be assigned a classification number.
- Failure to register for selective service may bar you from any federal assistance, including student loans for college, and any federal employment or aid. Criminal penalties can also apply for failure to register.

# RIGHTS & RESPONSIBILITIES: THE JUDICIAL SYSTEM

- Jury Duty
  - Must report if summoned (postponements can be requested)
  - There are very limited exceptions that can excuse you from service
  - “Paid” - \$5/day; \$50/day if over 3 days; sometimes \$60 on federal assignments
  - Term could be for a few hours (if you are not selected) to a weekly obligation lasting as long as 18 months (Federal Grand Jury)
  - Typically required to serve only once every 3 years
- General Information about Legal Claims:
  - Must bring claims within the “Statute of Limitations” (i.e.: while they are still relatively fresh)
  - Must respond to a subpoena to produce information related to a proceeding
  - Must testify truthfully when in court
  - If you are served with a complaint or other legal papers, failing to respond could result in a binding default judgment against you

# RIGHTS & RESPONSIBILITIES: TAXES

- Federal and State Tax on income from the prior year is due on (or sometimes shortly after) April 15th
- A properly filed extension gives you more time to prepare your return, but does NOT extend your time to pay (interest and penalties will accrue)
- Unless you make less than the standard deduction (currently \$12,500), failure to file a return could lead to a year of jail time for each year you fail to file
- Filing a fraudulent return, or even helping someone else to file one, could result in a sentence of up to five year in prison

# RIGHTS & RESPONSIBILITIES: TAXES

- You are required to pay taxes on all income from whatever source acquired, even if you are paid in cash. (Gifts are NOT income, but the definition of a gift is narrow.)
- Failing to pay what you owe can trigger penalties and interest.
- Employers and financial services companies are obligated to file statements indicating how much you have been paid.
- You need to file taxes in any state where you live or work. Certain cities (such as Philadelphia) also impose additional taxes when you live or work within their limits.

# FAMILY ISSUES: MARRIAGE

- Marriage Licenses are required
  - Go to the clerk of the municipality where the bride resides.
  - The license cannot be issued sooner than 72 hours after you apply and will be valid for 30 days from the date it was issued.
- The wedding ceremony may be performed by a minister, priest, rabbi, judge, surrogate, mayor, township committee chair, or a religious society.
- You also need to supply two witnesses.
- New Jersey does not recognize common law marriages.

# FAMILY ISSUES: DIVORCE

- File a complaint in the Superior Court of the county where you reside.
- You may need to pay (or be eligible to receive) Alimony.
- Assets and Debts accumulated during the marriage will be divided by “equitable Distribution.” New Jersey is a “no fault” state, but other states may still take cheating during the marriage into account when dividing assets.
- Consider protecting yourself by developing a prenuptial agreement, and keeping anything you own before the marriage (or inherit during the marriage) in separate accounts that are not used for anything during the marriage. Keep all your statements.
- Divorce is expensive, marry wisely.

# FAMILY ISSUES: CHILD CUSTODY & SUPPORT

- When either parent brings a custody case to court, a judge will make the final decision on where a child will live by investigating the best interests of the child and the situation of each parent.
- Whether you are married or not, you have an obligation to support and care for all of your children. Either or both parents may be ordered to pay child support.
- In most states your obligation to support your child ends when they turn 18. However, if you are not in a relationship with your child's parent, in New Jersey you are responsible for your child's support until the child's "emancipation." This can include being required to pay for health insurance and contribute toward a "child's" education up to age 23 under certain circumstances, for example, if they are in high school or college full-time.

# DOMESTIC VIOLENCE

- Household members, spouses, persons who have a child in common (or are about to), and persons who have had a dating relationship may file a petition in family court to seek protection from violence or abuse.
- A Temporary Restraining Order (TRO) may be issued to stop contact, seize weapons, and make custody and support orders - without the involvement or testimony of the alleged perpetrator.
- Another hearing will be scheduled when both parties will have an opportunity to testify and present witnesses. The order that is issued after this hearing is permanent, and mandatory fines will be assessed.
- Violations of the order can subject the defendant to further penalties and jail time. In addition to a family court action for a restraining order, an act of domestic violence may also result in a criminal complaint.

# CRIMINAL ISSUES: ADULT TREATMENT

- Arrests can happen with or without a warrant
- Be very careful about what you say as it can be used against you
- “If an officer is placing you under arrest, it is illegal to resist, regardless of whether you believe the officer is right or wrong. A law enforcement officer may also conduct a search with or without a search warrant, if one of the many exceptions to the warrant requirement applies. When an officer gives you an order, it is unlawful to ignore that order, again, whether you think the officer is right or wrong. Also remember that not knowing the law is not a defense.”
- Bail
- Adult Prison
- Expungement

# CRIMINAL ISSUES: DRUGS

“It is against the law in New Jersey to possess, with the intent to use or distribute, any controlled dangerous substances (CDS). This can include prescription medication (yours or someone else’s). It is also unlawful to possess drug paraphernalia such as a syringe. In addition to fines and jail terms which can be imposed, mandatory drug enforcement demand reduction penalties, known as DEDR penalties, and lab fees of at least \$650 must be assessed. Additionally, a conviction of any drug offense will result in a loss of your driver’s license for six months to two years, whether or not a car was involved.”

# CRIMINAL ISSUES: MARIJUANA

- As of 2022, New Jersey law now permits the sale and use of up to one (1) ounce TOTAL of cannabis and cannabis products for residents 21 years of age and older.
- Having more than this amount can subject you to enormous fines and penalties and you are NOT allowed to grow your own.
- For example, having one unlicensed marijuana plant can translate into a five year prison sentence and a \$25,000 fine. Larger scale growth can carry penalties up to 20 years in prison and a \$300,000 fine.
- Landlords can prohibit use on their property (and eviction may be available as a remedy), and use in a car is not permitted under ANY circumstances (even if you are not driving and it is in edible or vape form).
- UNDER NO CIRCUMSTANCES SHOULD POT BE TRANSPORTED ACROSS STATE LINES.

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# CRIMINAL ISSUES: ALCOHOL

- Unlawful to buy alcohol or be in a liquor store before turning 21, but you can begin serving it at 18
- “The penalties for possession or consumption of alcohol by an underage person are a fine of \$500-\$1,000, up to 180 days in jail, and a potential driver’s license suspension of a motor vehicle is involved. Be aware that any criminal charges could result in the loss of any awarded financial aid or scholarship money.”

# CRIMINAL ISSUES: DRINKING & DRIVING

- For a first offense you can be put in jail for up to 30 days, have huge fines and penalties assessed, be required to spend time at the Intoxicated Driver Resource Center (IDRC), and lose your license for up to 1 year.
- The penalties are severe and increase sharply based on the amount of alcohol in your blood and whether you are a repeat offender. You can also be required to have an interlock device on your vehicle. For example: You could face up to a 10 year loss of your license!
- If you are found driving during a period of license suspension for your second or subsequent DWI, or if your license was suspended for your first DWI and it is your second or subsequent time driving while suspended for that first offense, the penalty is a mandatory 180 day jail sentence.
- Insurance Penalties are also stiff- 9 points and your premium will likely double or triple for at least 3 years

# EMPLOYMENT ISSUES: RIGHTS

- Minimum Wage: \$13 per hour
- Overtime: 1.5xs your normal rate if you work more than 40 hours/week – but this is only available if you are an hourly employee (as opposed to a contractor or salaried employee)
- Workers compensation is available for injuries you suffer on the job that make it impossible for you to work. You only receive up to 70% of your pay for temporary disabilities; “permanent” benefits generally only last 450 weeks.
- The NJ Department of Labor can answer questions about worker’s compensation and can take reports about violations and safety hazards in your workplace.

# EMPLOYMENT ISSUES: TERMINATIONS

- NJ is an “at will” employment state: you can be fired without cause at any time unless you are protected by contract, or the reason for the termination violates a legal statute.
- Discrimination statutes make it unlawful for employers to fire someone on the basis of certain personal characteristics such as race, national origin, age, sex, religion, handicap or disability, marital status, pregnancy, and, in New Jersey, sexual orientation and HIV status.
- It is also unlawful for an employer to fire someone, for filing a claim for wages or worker’s compensation benefits or for asserting a discrimination complaint. The New Jersey Division on Civil Rights or the Equal Employment Opportunity Commission (EEOC) can help you assess your claim if you get fired.

# EMPLOYMENT ISSUES: UNEMPLOYMENT

- If for some reason you lose your job because of a layoff or discharge by your employer, you may be eligible to receive unemployment benefits, unless you have been fired for gross misconduct.
- You are generally not entitled to such benefits if you voluntarily resign or leave your job unless you can demonstrate “good cause” forcing you to leave.
- If you lose your job for any reason, you should contact your local unemployment office to determine if you are eligible for benefits. Once this is determined, an application can be made online at [www.lwd.dol.state.nj.us](http://www.lwd.dol.state.nj.us).

# FINANCIAL MATTERS: BANK ACCOUNTS

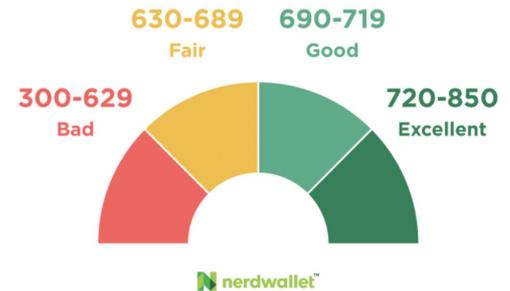
- As an 18-year-old, you no longer need a trustee for your bank accounts and may now own checking and savings accounts in your own name.
- It is your responsibility to ensure that you have sufficient funds in your account to cover your checks and withdrawals. Fees and penalties typically apply if you write checks for funds that are not in your checking account, even if it is not done intentionally.
- You can typically request a debit card through your bank, which is almost as convenient as a credit card but only lets you spend what you have in your bank account.

# FINANCIAL MATTERS: CREDIT CARDS

- Credit cards should be treated with extreme caution!
- If you get a credit card, a good general rule of thumb is to only charge what you can afford to pay off that same month.
- Credit card interest rates are typically high, and if you only pay the minimum payment you may end up paying much, much more than the item is worth. Doing this repeatedly or with large purchases can be financially devastating.
- Missing payments completely and carrying high balances will negatively impact your credit score. If you end up in over your head, you may want to try to paying off your credit cards by taking out a bank loan at a lower interest rate and using it to pay off your credit card debt.

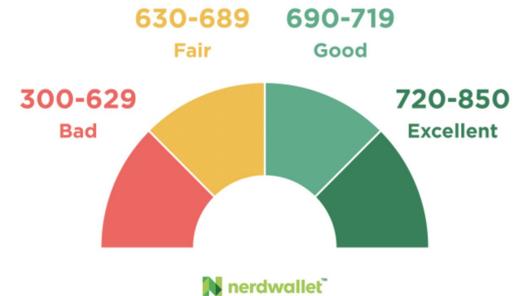
# FINANCIAL MATTERS: YOUR CREDIT SCORE

- A credit score is a three digit number representative of your “credit worthiness.”
- Your score is based on many factors including whether you pay your bills on time, how much money you are permitted to borrow by credit card companies, and how much of your available credit is in use.
- Your credit score will influence whether you qualify for a mortgage or loan and the rate of interest you will need to pay on transactions.



# FINANCIAL MATTERS: PROTECTING YOUR CREDIT SCORE

- Be extremely careful with your social security number and other personal information to help prevent fraud linked to your credit score.
- The three major credit card agencies will each allow you to check your credit report for free annually. It is wise to take advantage of this so that you can resolve any issues sooner than later.
- You can pay to put a “lock” or freeze on your credit.



# FINANCIAL MATTERS: INVESTMENTS & YOUR CREDIT SCORE

Buying a \$700,000 house

- \$50,000 down payment
- \$650,000 financed
- 30 Year Fixed Mortgage
  
- 4% interest: \$3,103 (\$1,117,080)
- 6% interest: 3,897 (\$1,402,920)

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2% interest difference = \$285,840 difference

\*Consider appreciation of the home you buy.

\*Consider increases in rent if you don't buy.

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# FINANCIAL MATTERS: BANKRUPTCY

- Typically an option of last resort
- It won't relieve you of your obligation to repay student loans
- You generally have to give up many of your assets in order to qualify
- Speak with an attorney before you file!

# FINANCIAL MATTERS: INVESTMENTS

- Acknowledge the power of compound interest
- Consider the true cost of renting - missing out on appreciation
- Be a careful steward of your money - “If you live like a king when you’re a student, you’ll live like a student when you’re a king.”
- “It doesn’t matter how much you make as it does how much you save.”
- Consider meeting with a financial advisor to develop a workable savings plan

# FINANCIAL MATTERS: INVESTMENTS

- Open a retirement savings account (also known as an Individual Retirement Account or “IRA”) and add to it monthly. There are two main types:
  - Roth IRAs (you pay taxes on the money upfront and don’t have to pay taxes on the growth when you take it out of the account)
  - Traditional IRAs (tax is deferred until you take money out of the account)
- Try to max out your Roth IRA every year until you make too much to qualify
- Take advantage of employer retirement plan (“401K”) matching
- Removing money from an IRA before retirement can generate tax penalties

# HEALTH INSURANCE

- You can stay on your parent's insurance through age 26 (or in NJ - 31 under certain circumstances).
- NJ will impose a tax penalty roughly equal to the cost of insurance if you don't have coverage in place unless you have a good reason for an exemption.
- If you need to find your own insurance, explore plans at: <https://www.nj.gov/getcoverednj>
- Subsidies may apply to help you afford the cost of the plans.

# HEALTH INSURANCE

- Make it a priority to stay happy and healthy
  - Take care of your body - exercise daily, take supplements as you age. Medical bills can add up fast!
  - Don't let mental health issues go unchecked - this can have a huge impact on your ability to keep a job, and intervening early can help diffuse larger problems.
    - Don't be afraid to reach out for help!

# INSURANCE

- Automobile Insurance (required)
- Renters or Homeowners Insurance (Very smart idea)
- Life Insurance
  - Very important for young parents to ensure that they can provide for their children if they die
  - The younger you are when you get it the cheaper it is to buy it

# ESTATE PLANNING

- **Healthcare Power of Attorney / Advance Directive for Health Care**  
("Living Will")
- **Financial Power of Attorney**
- Will
- Revocable Living Trusts - Life Insurance Trusts - Special Needs Trusts
- Estate & Inheritance Taxes

# INTERNET SAFETY

- Defamation – is saying something negative about someone that is false, or is true but taken out of context, puts someone in a “false light.” If you defame someone in a chat room or publicly, you can be sued in appropriate circumstances, even in another state.
- Intellectual property is the rights people have in their names and brands (trademarks), creative expression, like songs (copyright) and ideas (patents). Downloading music for private use is one thing; sharing and sending to others may implicate copyright law issues and expose you to litigation by the music companies or others.

# INTERNET SAFETY

- The internet isn't private.
  - The government has broad powers to intercept electronic communications relating to terrorism, business information, and to investigate hacking.
  - Be careful with what you do online - various laws apply that could have serious consequences for practical jokes, cyberbullying and hacking.
- **CHILD PORN IS ILLEGAL.**
  - Just having it on your computer can trigger serious consequences.
  - Having “indecent” communications with minors over the internet is prohibited.
  - “Megan’s Law” violations can follow you for life and put tough restrictions on where you live and work.

# PREPARE FOR ADULTHOOD BEFORE YOU LEAVE HOME

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- Talk with your parents and other trusted adults about their experiences and ask for advice. Then take it!
- Consider executing estate planning documents to allow others to act for you when you can’t
- Read the Hey, I’m 18! Guide available at [www.SauerFirm.com/Adulting](http://www.SauerFirm.com/Adulting)

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- Email a link to the Hey, I’m 18! Guide available at [www.SauerFirm.com/Adulting](http://www.SauerFirm.com/Adulting) to yourself and your parents so you can easily find it if you want to review it later
  - What was one thing you learned today?
  - What is one thing you want to talk more about?
- Set the following calendar reminders in your phone:
  - “Prepare Taxes” for February 1st – annually
  - “Pay State and Federal Taxes” for April 15th – annually

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