

Now You're **18**...What You Should Know

General Information: When you turn 18 in Ohio, the state recognizes that you have all the rights and responsibilities of an adult, except with regard to “drinking” laws. Generally, you have the right to: be independent from your parents’ control; vote in federal, state and local elections; marry or get medical treatment without your parents’ consent; make your own contract (get a loan, buy a car or rent an apartment); make a will; sue in your own name; work for pay; get a driver’s license without a co-signer; and examine your own credit record. You also are responsible for: serving on a jury if called; paying taxes on any earnings; facing any lawsuits or criminal charges as an adult; and (for men) registering for the military draft. In most cases, your parents no longer have to support you.

For more information about the topics listed below, visit the “public” area of the Ohio State Bar Association’s website at www.ohiobar.org (“Law Facts” pamphlets, “Law You Can Use” articles).

Apartments: You can rent an apartment. If you rent an apartment, whether on a month-to-month basis or for one year, your lease agreement should be in writing to protect both you and the landlord. The landlord generally will ask for and hold a security deposit, usually one month’s rent (to be returned at the end of the lease), in case you damage the apartment or do not pay your rent. If you break a lease, your landlord can sue you for unpaid rent. When you rent an apartment without a lease, you will usually rent it on a month-to-month basis. In this case, you may stay in the apartment for one month at a time. If you rent an apartment for one year, your agreement typically converts to a month-to-month agreement automatically after the first year, if both parties decide to continue the contract. If you stay for even one day into the following month, you could owe rent for that entire month. One month’s notice by either you or the landlord can end a month-to-month rental agreement, and one week’s notice can end a week-to-week agreement. However, the landlord cannot end the agreement for an illegal (e.g., discrimination, retaliation) reason. Because the landlord’s insurance covers only the building, it’s a good idea to have renter’s insurance to cover your possessions and any liability (such as if your dog bites someone). If you don’t pay your rent on time, your landlord must give you three days’ notice before seeking a court order to evict you. You will have the opportunity to defend yourself, and lockouts are illegal. Your landlord must provide “fit and habitable” living conditions. If your landlord allows conditions to become so bad that you can’t live in the apartment, you may want to contact a local building inspector to report building code violations, or, if that doesn’t work, you may want to talk with a lawyer.

Contracts: A *contract* is an agreement by two or more people that benefits all of them. Many of our daily transactions are contracts. For example, you are involved in a contract when you take out a loan for a car or for college, buy something on an installment plan, get a credit card, rent an apartment, buy insurance or get medical care. Contracts may be oral or written, although some contracts must be in writing to be effective. Without a written contract, you may not be able to require the other person to perform his/her part of the bargain. Always get a written contract if you buy something that costs more than \$500; sign a lease lasting more than one year; and buy or sell land. Written contracts protect against dishonesty and poor memory, but review them carefully, because they may contain confusing language or be written to favor the other party to the contract. Do not sign a contract until you are sure you understand it. Cross out or fill in any blank spaces on a contract before you sign it. If you don’t keep your part of the bargain (“perform” the contract), you can be sued for not meeting your obligations.

Credit: When you’re 18, you can get credit cards and loans on your own without having someone cosign for you, if you can show you are able to make payments. Getting a job, keeping a savings account, buying items on credit and using credit cards responsibly builds a good credit rating as long as you pay your debts back in full and on time. Limit the number of credit cards you apply for and do not make only minimum payments. Shop for the best interest rate and terms before accepting a card or taking out a loan. If you borrow money for a car or a house, the lender will take a security interest (put a lien on the property), and can repossess or foreclose if you do not pay the loan. If you do not pay your credit card charges, you can be sued for not meeting your obligations. Before signing loan papers, make sure you understand the interest rates, payment amounts, due dates and service charges.

Driving: Your parents are no longer responsible for any accidents you may have once you turn 18. Driving is a privilege, not a right; you may lose this privilege if you do not drive responsibly.

Insurance—All Ohio drivers must have automobile liability insurance. If you cannot prove you have insurance, your license may be suspended for at least 90 days, and you will not get your license back until you have served the suspension, obtained insurance and reinstated your license.

Operating Vehicle Impaired—Ohio has strict penalties for individuals between the ages of 18 and 21 who drink and drive. If your Blood Alcohol Content (BAC) or Breath Alcohol Content (BRAC) is .02 or above, but less than .08, you can be convicted of a driving under the influence offense (OVAUC – Operating a Vehicle After Underage

Consumption) if you have not reached the legal drinking age. Possible penalties for a first offense include fines, a two-year license suspension and even jail time. Even if your BAC is below .08, you may be convicted of an OVI offense that carries harsher penalties than an OVAUC. If your BAC or BRAC is at or above the legal limit, your license may be suspended for at least 90 days at the time of your arrest. You do not have to submit to a test to measure your BAC/BRAC when asked to by law enforcement, but your refusal may mean a license suspension of at least one year when you are arrested and may be considered a separate crime if you have a previous OVAUC or OVI conviction or a previous refusal.

Employment: In Ohio, most employment is “at will,” meaning either you or your employer may end the employment at any time and for any reason unless you have a contract specifying a defined employment term. Your employer may *not* fire or discriminate against you based on race, sex, national origin, disability, religion, (or, in some cases, age), or for opposing unlawful employment practices. You also are entitled to receive at least minimum wage for each worked hour, time and a half for working more than 40 hours a week, and prompt receipt of your paycheck (generally, within a month of earning it). If your employer has 50 or more employees, you may be entitled to up to 12 weeks of unpaid leave because you or your spouse gave birth or adopted a child or to care for your own or a family member’s serious health condition. You also may be entitled to up to 24 months unpaid leave to care for an injured service person.

Jury Duty: If you are at least 18 and a U.S. citizen who is a registered voter or licensed driver, you may be asked to serve on a jury. Unless you are excused for some special reason, you are expected to serve. Names of potential jurors are usually chosen from voter registration lists and are selected at random. Not all people selected to appear for jury duty will serve on a jury. Jurors usually will be asked to serve for one to three weeks, unless a case takes longer. Your employer must give you time off for jury duty service, but doesn’t have to pay you. However, the county pays you a small amount for your service.

Marriage and Family: Once you turn 18, you can marry without your parents’ consent. For a marriage to be valid, you and your intended spouse must: get a valid marriage license (through a probate court); get an authorized official to perform the marriage; and say you wish to be married. Both of you must support each other and any children you may have. A marriage may be legally ended through divorce, dissolution or annulment. If you and your spouse agree on terms, you can end a marriage through “dissolution.” If you can’t agree, one of you may have to “sue” the other for divorce, identify “grounds” or reasons (such as “extreme cruelty”), and ask the court to decide the terms of the divorce. If the marriage was invalid to begin with (for example, if one of you was forced into marriage or if the marriage was not consummated) the court may grant an annulment. If a marriage ends and children are involved, the court may get involved to decide how to handle the children’s needs.

Medical Issues: When you are 18, you can consent to medical treatment, such as surgery. You can also decide in advance about the kind of medical attention you’d want to receive if you should become unable to speak for yourself. You can do this through legal documents called “advance directives.” To learn more about advance directives, including the “living will” and “health care power of attorney,” visit www.ohpco.org/aws/MCA/pt/sp/livingwills.

Selective Service Registration (Men Only): Almost all male U.S. citizens and resident aliens must register with Selective Service when they turn 18. This puts you on a list in the event the government has to reinstate a military draft. The easiest and quickest way to register is online at www.sss.gov. If you do not have a Social Security number you can fill out a form at any post office. You won’t receive a draft card, but you will get an acknowledgment with your registration number. If a draft were reinstated, you would have the opportunity at that time to file a claim for postponement, deferment or exemption. The penalties for not registering are a possible fine of up to \$250,000, a prison term of up to five years, or a combination of both. You could also lose eligibility for student loans and financial aid, job training, government employment and U.S. citizenship for immigrants. Once you reach your 26th birthday you cannot register, so take care of this important civic obligation now.

Voting: If you will turn 18 by the time of the general election in November, you may register at age 17, vote for candidates only in the primary election, and then vote the full ballot in the general election. To be eligible to vote, you must be a U.S. citizen, have lived in Ohio at least 30 days before the election in which you wish to vote, and register through your local board of elections at least 30 days before the election. You may download a voter registration form and get more information about voting requirements (including residency requirements if you are a college student) through the Ohio Secretary of State’s website at www.sos.state.oh.us.

The information contained in this brochure is general and should not be applied to specific legal problems without first consulting your own attorney.