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SOCIETY

Emancipation of Children

Some parents might want to have their child handle his or her financial affairs on their own before the child legally becomes an adult at age 18; or the child might want this. In order for this to happen, the child has to be emancipated by the Juvenile and Domestic Relations (JDR) Court. This is accomplished by filing a petition at the JDR Court clerk's office.

A child who is 16 years of age or older but still under 18 years of age or his/her parent can file a petition seeking emancipation. The JDR Court can order an investigation of the matter, if it chooses.

The JDR Court may enter an order of emancipation if one of the following conditions is met:

- The child is married, or was married but the marriage was later dissolved.
- The child is on active duty in the armed forces of the U.S.
- The child willingly lives separate and apart from his/her parents or guardian with the consent or acquiescence of the parents or guardian and the child is, or is capable of, supporting him/herself, and can competently manage his/her own financial affairs.

An Order of Emancipation allows a minor to:

- Consent to medical care,
- Enter into contracts,
- Make a will,
- Sue/be sued in his/her own name,
- Buy/sell real estate,
- Marry,
- Establish his/her own residence,
- Be entitled to his/her own earning,
- Enroll in any school or college without parental consent,

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- Be free of control by a parent or guardian,
- Execute a release, and,
- Get a driver's license without parental consent.

What does an Order of Emancipation do for a parent or guardian?

- Free the parent or guardian of the obligation to support the minor.
- Relieve the parent or guardian of the obligations concerning school attendance.
- Relieve the parent or guardian of liability for the minor's acts.

THIS INFORMATION IS NOT LEGAL ADVICE. *Legal advice is dependent upon the specific circumstances of each situation. Therefore, the information contained in this pamphlet cannot replace the advice of competent legal counsel.*

Free Legal information by Web and Phone: www.vlas.org and
1-866-LegalAid (534-5243)

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