

HOW TO REQUEST A COURT ORDER FOR EMANCIPATION OF A MINOR

Follow each step carefully. Each step contains forms, some of which may have extra instructions to help you.

FIRST STEPS:

- 1 **MAKE SURE YOU MEET THE QUALIFICATIONS.** See the Checklist at the beginning of the forms packet. Note that if you are older than 17 and 9 months, you may turn 18 and be emancipated automatically before this court process is completed.
- 2 **COMPLETE THE COURT FORMS IN THIS PACKET:** Fill out all the forms completely in **black ink**.
 - **JUVENILE EMANCIPATION INFORMATION SHEET.** Complete everything but the “Case Number”. The Clerk of the Court will stamp the Case Number when you file the papers. You will use this case number on all court papers you file with the Clerk in this case.
 - **MOTION TO SEAL COURT RECORD FOR REASONS OF CONFIDENTIALITY.** Complete this form if you wish to request that the Court order that case information be kept confidential and private. Once you have completed this form, submit it with the other forms you are filing with the Clerk’s Office.
 - **PETITION FOR EMANCIPATION OF A MINOR (and any appropriate attachments).** See the separate instructions for this form.
 - **“CONSENT TO EMANCIPATION OF A MINOR.** If any parent or guardian consents to your emancipation have that parent complete a **“Consent”** form and sign it in the presence of a Clerk of Court or Notary Public. Consent is NOT REQUIRED, but does support your request.

NOTICE OF HEARING. Once a hearing is scheduled, Court staff will provide notice of the date, time and location of the hearing by U.S. mail to you and other parties required to receive notice.

- 3 **MAKE COPIES AND SEPARATE YOUR PAPERS.**
Assemble your papers so that you have **2 packets: one set of originals and one set of copies**. The originals will be filed by the Clerk of Court and placed in the court file; the copies will be stamped by the Clerk and returned to you to keep for your records.

ORIGINALS should include

- One (1) **“Juvenile Emancipation Information Sheet”**;
- One (1) **“Petition for Emancipation of a Minor”**, and;
- IF any parent or guardian signed a **“Consent to Emancipation of a Minor”**, One (1) original signed, notarized “Consent” for each that agreed
- One (1) **“Motion to Close Court Record for Reasons of Confidentiality”** if applicable

Set 2 – Copies for your records should include:

- One (1) **COPY** of the **“Petition for Emancipation of a Minor”**, and;
- If any parent or guardian signed a **“Consent to Emancipation of a Minor”**, one (1) **COPY** of each “Consent” for each that agreed.
- One (1) **COPY** of the **“Motion to Close Court Record for Reasons of Confidentiality”** if applicable

FILE THE PAPERS AT THE CLERK OF THE COURT:

4 DETERMINE WHERE TO FILE THE COURT FORMS:

Your Clerk of the Court's Office information may be found in the government pages of the telephone directory. You may contact their office for appropriate filing locations and instructions.

5 TAKE THE *ORIGINALS AND COPIES* TO THE CLERK TO BE FILED.

6 PAY YOUR FILING FEE OR REQUEST A DEFERRAL:

There will be a filing fee so you should contact the Clerk of the Court to determine the appropriate filing fee in your county. If you are unable to pay this fee at the time of filing, you may submit an application for a fee deferral. This will allow you to file the petition now, and pay later. Alternatively, you may request a complete WAIVER of fees to the Judge at your hearing.

7 Once the "*Petition for Emancipation of A Minor*" is filed, the Court will schedule a hearing to be held within 90 days. The Court will notify those required to receive notice of the hearing date and time. This would include your biological or adoptive parent(s), if living and their parental rights have not been terminated by Court Order, and any legal guardian(s). If you are unable to locate a parent or legal guardian, be prepared to explain to the Court at the hearing why you cannot locate that person and to prove to the Court you did everything you could to try to find the parent or legal guardian. Note that step-parents cannot give consent and need not be given notice (unless they legally adopted you).

8 **OTHER HELP:** Court personnel can answer certain limited questions about the procedures involved, but only an attorney can give you legal advice. You can find an attorney in the yellow pages of your telephone book (or online) under "attorneys". There may be Community Legal Services to provide free legal assistance for those with limited income.