

INSTRUCTIONS: HOW TO FILL OUT THE PETITION FOR EMANCIPATION OF A MINOR

Use these instructions to fill out the Petition. Fill out the form completely in black ink.

- Fill in the information requested about yourself in the top, left corner, unless your contact information is “protected” by Court Order or you have the permission of the Court to leave out your address and phone number.
- Under “In the matter of”, write in your name. Leave the Case Number blank. The Clerk of the Court will stamp in the case number when you file the documents with the Court.

STATEMENTS TO THE COURT UNDER OATH OR AFFIRMATION

Read each of the listed statements. **All** of these statements **must** be true for the Court to order your emancipation. When you sign the final page of this document you are stating to the Court these statements and all of the information you have provided on this document are true and correct under penalty of law.

- 1: **INFORMATION ABOUT ME:** Write in all the information requested unless it’s “protected” as described above. If this information is protected by court order or you have permission from the court to omit your address and phone information – write “protected” in this space.
- 2: **PERSONS ENTITLED TO NOTICE: INFORMATION ABOUT THE PARENTS *and any* CURRENT LEGAL GUARDIAN(S).** The Court **REQUIRES** notice of the hearing on your request for emancipation to be given to any living parent whose parental rights have not been terminated by a court order as well as to any current legal guardian. This means the Court must provide notice to either your biological or adoptive parents. Do not list a step-parent unless he or she has legally adopted you or is a legal guardian.

You must list both parents and any current legal guardian(s) even if you have had no contact with them. If you do not have current contact information for any of these persons, be prepared to explain to the Court **why you cannot** provide this information.

If any parent or guardian listed is deceased or if a parent’s rights have been terminated by Court Order, check the appropriate box under (or beside) that person’s name. If any person listed is deceased, attach proof such as a death certificate or obituary notice.

- 3 – 10: **FACTS TO SUPPORT MY REQUEST FOR EMANCIPATION:** Complete these sections providing detailed written answers, *in English*. If the Court is not satisfied with your answers, your request for emancipation may be delayed or denied.

Answer each question to the best of your ability. The Court may require more or different information or explanation on any topic.

Financial, Personal and Social Affairs, Housing and Medical Care (required).

In your responses to these items, you will show the Court how you will manage to live wholly independent of your parents or legal guardian. You will list those individuals with which you are living or plan on living when emancipated. You will answer questions about your current level of education as well as your plans for future education. Your place(s) of employment must be listed as well as any public assistance which you receive or plan on applying for. You will then list your average monthly earnings (from all sources) and your assets (things that you own that are of value). You must then list your expenses (including housing, food, clothing, utilities, medical care, transportation costs) you expect to have when emancipated. **If the information you have**

provided when answering these questions does not fully explain how you will provide for your own food, housing, medical care or other anticipated costs, you will need to attach a paper containing the full explanation.

Additional Facts. (optional) List or describe, on an attached paper, any additional facts or explain any situation not previously covered that supports your request for emancipation.

11. **REQUIRED ATTACHMENTS.** In addition to any documentation required to support your “Facts supporting Emancipation”, you **MUST** attach **AT LEAST ONE** of the three items listed. You *may* choose to include more than one to further support your request – but you **MUST** include *at least* one.

(a) **“Documentation (proof) you have been living on your own for at least 3 consecutive months”**

Examples:

- Notarized statements from your landlord or other persons who can verify that you have been living apart from your parents (or guardians) for at least three months;
- Pay stubs spanning 3 months listing an address other than your parent(s) or guardian(s);
- Mail addressed to you listing an address other than your parents showing postmarks indicating you have received mail at this address for at least three months;
- Utility bills (home or cell phone, electricity) or subscriptions indicating you have received bills or magazines, etc. at this address for at least three months.

(b) **“A statement explaining why I believe the home of my parent(s) or legal guardian(s) is not a healthy or safe environment.”**

(c) **“A notarized statement by my parent(s) or legal guardian(s) that contains written consent to the emancipation along with an explanation.”**

12. **COURT ORDER OF PROTECTION** – if there is an existing Order of Protection, you will need to note this here.

13. **REQUESTS TO THE COURT** – You are not required to “do” anything for this section; this is standard language used by the Court.

WHEN YOU HAVE COMPLETED THIS FORM: Sign and date your petition in the presence of a Clerk of Court or Notary Public. Attach all required documents and any other supporting documents, then follow the instructions and procedures listed in **“How to Request a Court Order for Emancipation of a Minor”**.