

Emancipation In Arizona

What are my rights and obligations if I am emancipated?

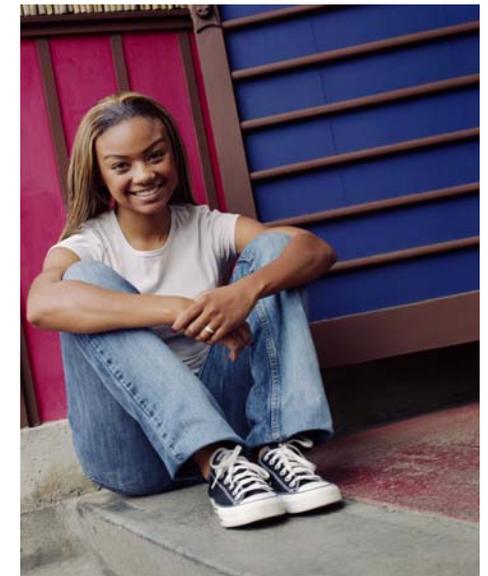
If the judge grants your petition for emancipation you will be treated as an adult for the following purposes:

- the right to enter into a binding contract
- the ability to sue and be sued
- the right to buy and sell real estate
- the right to live independently
- the legal duty to pay child support if you have a child
- the ability to apply for loans and create your own debt
- the right to consent to medical, dental and mental health care for yourself and your child and obtain your records
- the right to further your education
- the right to obtain social services
- the right to operate certain equipment and perform certain services



For more information about emancipation in Arizona

Visit: www.lawforkids.org



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Text provided under agreement by the
Honorable Thomas Jacobs

Questions And Answers



Frequently Asked Questions

What is emancipation?

Emancipation means that you are legally free from your parents or legal guardian. Once emancipated you have many of the same rights and obligations as an adult.

Who can apply to be emancipated?

You must be sixteen or seventeen-years-old to apply for emancipation. You have to be a resident of Arizona and be able to prove that you can support yourself. The court will give you information about the risks and consequences of being emancipated as well as your rights and obligations as an emancipated minor. You cannot apply for emancipation if you are a ward of the court or in the custody of a state agency.

Where do I apply?

Your request [petition] to be emancipated must be filed in the superior court of the county where you live. The court may have an emancipation form that you can use. A filing fee may be reduced or waived by the court.

Do I have to go to court for a hearing?

When you file your petition for emancipation the court will set a hearing within ninety days. You must be at the hearing and you may have a lawyer present to represent you. Your parents or guardian will also receive notice of the hearing.



What do I have to show the judge?

At the hearing it is your responsibility to convince the judge that it is in your best interests to be emancipated. The court will consider the following:

- your wishes and your parents' opinion regarding emancipation
- your financial situation and whether you are independent from your parents – proof of employment or other means of support, including housing and health care
- your education and success at school
- whether you have a criminal record
- whether you understand the risks of emancipation

You must also show that you have either been living on your own for three consecutive months, **or** why living at home is not a healthy or safe environment, **or** provide written consent for emancipation from your parents or guardian.

How does my emancipation affect my parents?

Once you are emancipated your parents no longer have to support you or provide for your medical care. They have no claim to your income and they cannot be held legally responsible for your actions.

What if my parents object to my emancipation?

If your parents or guardian object the court may send all of you to mediation where you may work out a solution. If you don't reach an agreement the judge will decide whether to emancipate you or not based on what is in your best interests.



Does emancipation affect my driver's license?

Yes, once emancipated your driver's license will include the words "Emancipated Minor" on it. You can take your emancipation document to the Department of Motor Vehicles and obtain a new license. Emancipation does not change the legal drinking age of 21.