

## EMANCIPATION INFORMATION SHEET

**DEFINITION:** Emancipation is a statutory process whereby qualified 16 and 17 year olds are granted the status of having reached the majority of 18 years. It means they can function as adults, enter into contracts, and sue and be sued. Emancipated minors are considered adults in the eyes of the criminal justice system and are subject to the adult courts and jail for law violations. They are no longer subject to juvenile court jurisdiction. Emancipation does not affect the marriage or voting age.

To attain emancipated status, juveniles must be fully self-supporting, have an adequate place to live and be able to demonstrate sufficient maturity and responsibility in order to function on their own - without adult supervision.

### FACTORS TO BE CONSIDERED

Below are general guidelines to use as factors the Clackamas County Judges have identified in verifying appropriate standards for emancipation; the youth shall:

1. Be employed at least 25 to 30 hours per week at minimum wage or more for at least 3 months and be able to furnish a most recent payroll document. (Exception: Other source of income such as social security trust.)
2. Be graduated from high school, have received a GED, or be attending an educational or vocational school full- time.
3. Have at least one month's salary in a checking or savings account. (Minimum \$800).
4. Be able to provide his or her own medical insurance or be able to continue under parent's coverage. Must show documentation from health care provider proving eligibility and availability.
5. If living away from parental home, be established in a residence for two or three months. The residence cannot be with the youth's boyfriend or girlfriend. (Exception: If emancipation is needed to enter into rental agreement, youth must furnish documentation so indicating.)
6. Maturity and responsibility: Youth must demonstrate ability to be on his/her own without adult supervision by the following:
  - a) parental testimony
  - b) recommendation from reliable adults
  - c) reports from school instructors or employers
  - d) development and submission of monthly budget
7. There shall be no pending law violations involving the youth.

### MISCELLANEOUS INFORMATION

- There are some states that will honor the emancipation granted by the State of Oregon, but others will not. It is the responsibility of the youth to research this issue, if interested.
- The filing fee of \$150.00 is not refundable.
- If emancipation is granted, it is not possible to reverse the decree.
- Emancipation applications can only be processed in the county of the residence of the parent or legal guardian.
- Per ORS 419B.555, the juvenile court shall conduct a preliminary hearing on the minor's application for emancipation within 15 days of the date on which it is filed or as soon as possible thereafter. The final hearing shall be held no later than 60 days or as soon as possible after the date on which the application is filed.