



## Emancipation Information

Emancipation is a legal process where qualified 16 and 17 year olds are granted the status of having reached adulthood. 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. They are subject to the adult courts and jail for law violations. Emancipated minors are no longer subject to juvenile court jurisdiction. Emancipation, however, does not affect the marriage or voting age. Emancipation does not allow for the possession, purchase or use of alcohol or marijuana.

To attain emancipated minor status the youth must be self-supporting, have stable living arrangements and demonstrate mature decision-making without the assistance of parents.

## Factors to be considered during the Court hearing

The following points will be used as guidelines for the Court in verifying if a youth is appropriate for emancipation.

1. The youth must be currently employed with a minimum history of three months with the same employer, and be able to provide to the Court the most recent payroll document. (Exception: Other source of income such as Social Security trust).
2. The youth must have completed high school, received a GED, or be attending an educational or vocational school.
3. Have an open savings or checking account with a bank and provide a balance equal to one month's salary or \$1000, whichever is more.
4. Living away from the family home in a stable living situation for a minimum of three months (Exception: If emancipation is needed to enter into rental agreement, youth must furnish documentation so indicating).
5. Maturity and responsibility to make decisions without parental guidance. Examples for documentation are as follows:
  - Parental testimony;
  - Reports from education programs and employers;
  - Recommendations from reliable adults;
  - Recommendations from Department of Youth Services; and
  - Presentation of a monthly budget.
6. There are no pending law violations involving the youth.

## Additional information

There are some states that will honor the emancipation by the State of Oregon, but others will not. It is the responsibility of the youth to research this based on if there is a need.

There is a non-refundable filing fee.

If emancipation is granted, it is not possible to reverse the decree.

Applications for emancipation must be processed in the county of residence of the parent or legal guardian.

The juvenile court shall conduct a preliminary hearing on the application for emancipation within 10 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. (ORS 419B.555).

If emancipation is granted the youth must apply for identification or an Oregon driver's license through Department of Motor Vehicles with the notation that the youth's emancipation status. (ORS 519B.558)