



## Mythbusters: Youth Rights

### Don't believe everything you hear!

Our Youth Law Project answers hundreds of questions every year from kids who want to know how the law affects their lives. Here are a few things we have heard that are **JUST NOT TRUE!** Listen to a lawyer and get the right information.

#### Myth #1. If I have a baby, I will be emancipated.

**WRONG!** If you are under age 18, and you have a baby, you are still considered a minor. You still have to follow the rules set by your parents or legal custodian. You have the right to make decisions about your baby and your parents have the right to make decisions about you. Not only are you **not** emancipated, but you now have the added responsibilities of parenthood. For example: if you leave home without permission, you might be treated as a runaway. You also face the risk of having child protection question if you are a good parent.



#### Myth #2. I can live on my own when I turn 16, it doesn't matter what my parents say.

**WRONG!** In Minnesota, the age of majority (when you are an adult) is 18. If you are younger than 18, you can't move away from home unless:

- your parents agree to it
- you join the military, or
- a court lets you live on your own

#### Myth #3. Even if I live on my own, I can't see a doctor unless my parent signs for me.

**WRONG!** If you are living away from your parents, with their permission or not, and you take care of your own finances, you can get medical, dental, and mental health services. This is true no matter how long you have been living away from home. Even if it's been only a few days or weeks. The doctor can treat you even if you don't have your parents' signature on the forms.

Note: Doctors **don't have to** give you services unless it is an emergency.

See our fact sheet [Can I go to the doctor on my own?](#)

#### **Myth #4. My parents can't lay a hand on me or they will get in trouble.**

**WRONG!** Parents can use “reasonable and moderate physical discipline” **as long as it doesn't cause injury**. A parent can't throw, kick, burn, bite, or cut, or strike a child with a closed fist. Parents can make and enforce reasonable rules. If physical discipline goes beyond “reasonable and moderate” your parents could get in trouble with Child Protective Services (CPS) if CPS finds out about the abuse.

#### **Myth #5. It doesn't really matter if I get into trouble before I turn 18, because delinquency records are secret.**

**WRONG!** A delinquency record can have a bad effect on you in a few ways. Here are some examples:

- the records may be released to your school, courts, or others in certain circumstances.
- if you are convicted of a crime as an adult, any convictions you got as a minor might be used to increase your sentence
- if you are not a U.S. citizen, a record of delinquency could put you at risk of deportation
- conviction of some delinquent acts require that you register as a sex offender
- a potential employer may get access to your records by asking you to sign a release or because the job you are applying for requires a background check. Your delinquency records will show up and you might not get the job.



#### **Myth #6. It's not safe for me to live with my parents so I moved in with my grandma. The school says I can't enroll because I don't have a parent to sign the papers.**

**WRONG!** If you live away from your parents, you may be considered homeless. You must be allowed to enroll in:

- the last school you went to, or
- the school you would be assigned to based on your current temporary address.

Each district has a homeless student liaison whose job it is to help you enroll in school. You may think you are not homeless because you have a place to stay. But if you are not living with a parent or legal guardian and you are having trouble enrolling in school, you should contact the liaison for help.

**Myth #7: I can't get into trouble at school for things that happen away from school.**

**WRONG!** In some cases, the police and probation officers may give delinquency records to the school. This might happen even if the delinquency was something you did away from school or school events. You could face suspension or expulsion for your actions away from school property, events, or vehicles if your behavior “interferes with school operations” or threatens students or school employees.

**Myth #8: Facebook is only for my friends, and whatever I post on Facebook is just between us.**

**WRONG!** Information posted on Facebook can easily get into the hands of the police or school administration. Students have been suspended from school and prohibited from playing high school sports because someone got hold of pictures of them drinking alcohol or doing drugs. Pictures of drinking, mentions of weapons, talk of hurting someone, or messages that bully or harass other students could land you in the principal's office!

Postings on Facebook can also cause problems with jobs or friendships. The internet has a long memory so be careful what you decide to share.



**Myth #9: There is no such thing as emancipation in Minnesota.**

**WRONG!** It is true that Minnesota doesn't have a statute (written law) that defines emancipation and gives a process for becoming emancipated. But Minnesota courts recognize that emancipation exists. A child may be considered emancipated **IF** the parent agrees that the child may live independently. The child must have a plan that includes a place to live and a way to pay the bills. Some kids ask about emancipation when what they really want is to escape abuse from their parents. If you think you can live on your own and your parents are okay with that decision, or if you don't feel safe with your parents and need help understanding your other options, call the Youth Law Project for advice on what you can do legally.

See our fact sheet [Emancipation](#).

## Myth #10: Kids don't have any rights.

**WRONG!** Kids do have rights and here are a few examples:

Kids have the right to:

- be safe from abuse
- have access to an appropriate education
- have their views presented in Juvenile Court delinquency and child protection matters involving them
- be protected from bullying
- stay in contact with their siblings and other family members when they are placed away from home.

## Do you have questions about your rights?

Call the Youth Law Project at (612) 332-1441.



***Fact Sheets are legal information NOT legal advice. See a lawyer for advice.***

*Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.*

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