



Emancipation

What is minor emancipation?

Emancipation is basically when a child under the age of 18 gets permission to live on their own and be responsible for themselves. Emancipation means that a parent gives up the right to control a child and the child gives up the right to be financially supported by the parent.

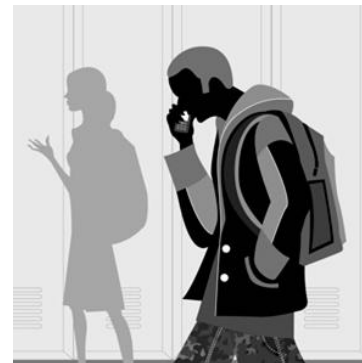
Can Minnesota kids be emancipated?

Yes. In Minnesota a child under the age of 18 can be considered emancipated. BUT there is no form to fill out or set procedure to follow. The law doesn't have a definition for what makes someone emancipated either. So, it can be confusing to figure out if you are considered emancipated.

So, if there is no form or procedure, how can kids be emancipated?

It all depends on the parent. In Minnesota you might be considered emancipated if your parents let you live on your own. Permission from your parents might be shown by what they say or write down about letting you live on your own or being emancipated.

Consent may be proven if your parents don't try to get you to come home after running away or being kicked out.



Can “emancipation” solve my legal problem?

Sometimes, kids think that emancipation can solve a problem they have. But often, some other legal option works better. Here are some examples.

1. **My step-father abuses me. I want to live with my grandmother, but my mom won't let me, so I want to be emancipated.**

In this case, the child does not really want to live on their own and be responsible for themselves. The child still wants someone to take care of them. But since it is not safe at home they want to live with their grandmother. They figure that if they are emancipated, they can move to their grandmother's house even though the mother says no. But they can't become emancipated because the mother won't give up her rights to make decisions about the child.

Emancipation is not the answer. But there are other options for a youth trying to find protection from abuse. In this case, the grandmother may be able to go to court for an order for protection or an order giving her custody. The child would get what they want: someone to look after them who won't abuse them.

2. My mom kicked me out last week. I need to go to the doctor, but the doctor says she won't see me without my mom's permission. I want to be emancipated so I can see the doctor.

In Minnesota, a minor who isn't living with their parents or a legal guardian can make decisions about their medical care without someone else's permission. The youth may end up being responsible for paying the bill. The doctor may decide it is in the child's best interests for the parents to be told about the visit. But youth living on their own don't have to be "emancipated" to consent to medical care without parental permission. See our fact sheet [Can I go to the doctor on my own if I'm under 18?](#)

On the other hand, some problems may be resolved by showing that you are considered emancipated. For instance, a landlord may refuse to rent to you unless you show proof that you are emancipated. The landlord may be satisfied by a statement signed by your parent. Or it could be a letter from a lawyer laying out the facts and the law that lead to the conclusion that you should be considered emancipated.

So, if I am considered emancipated, am I an adult?

No. In Minnesota you are an adult when you are 18 years old. Laws based on a person's age still apply to you, even though you live as an emancipated minor.

For example:

- you still have to be off the streets by curfew,
- you are considered truant if you don't go to school,
- you can't get married
- you can't buy alcohol or cigarettes, and
- you can't vote.



Generally, if you are emancipated, your parents are no longer responsible to provide you with a home, food or clothing, or support you financially. Instead, you are responsible for your own support.

I still have lots of questions about how this all applies to me.

The law is complicated. It assumes that parents make decisions that are best for their children. That includes the decision that a child has the maturity to live independently, even though the child is not yet 18 years old. On the other hand, parents are not supposed to abandon their children. Laws exist to protect children from abuse and neglect. Children who can't live with their parents still have the right to a safe place to live, medical and mental health care and an education.

A lawyer can help you understand your legal options and help you with your goals. For legal help contact the Youth Law Project at [\(877\) 696-6529](tel:877-696-6529) or email them at youthlawproject@mylegalaid.org.

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

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