living with another responsible adult (aunt, uncle, grandparent, or family friend)

seeking assistance from public and private agencies

an informal agreement with your parents allowing you to live outside your home

EMANCIPATION PAMPHLET This pamphlet provides only basic information about emancipation proceedings.

If you need additional information, you may wish to consult an attorney.

Form Adopted by the Judicial Council of California MC-301 (New January 1,1995)

WHAT IS EMANCIPATION?

Emancipation is a legal procedure that frees children from the custody and control of their parents or guardians before they reach the age of majority. (In California, this is age 18.) If you become emancipated, you will be able to do certain things without your parent's consent, such as:

- consent to medical treatment
- apply for a work permit
- enroll in school or college

You will also give up your right to be supported by your parents. Even if you are emancipated:

- You must still attend school.
- You cannot get married without parental consent.
- You probably will remain under juvenile court jurisdiction, if you commit a crime.

IF YOU HAVE A LEGAL GUARDIAN:

All references in this pamphlet to parent or parents include legal guardians or guardians.

HOW DO I BECOME EMANCIPATED?

There are three ways you can become emancipated:

You can get married (This requires parental consent and permission from the court.)

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WHAT DO I DO IF THE JUDGE GRANTS MY PETITION FOR EMANCIPATION?

If the judge grants your petition for emancipation after a hearing is held or without a hearing, you must take your papers back to the clerk's office and file them. The clerk will file the original declaration of emancipation, and give you copies to keep as proof of emancipation. You may need to show these copies to employers, landlords, doctors, school officials, or others who would otherwise require parental consent.

It you want to notify the Department of Motor Vehicles (DMV) about your emancipation, complete an Emancipated Minor's Application to California Department of Motor Vehicles (MC-315) form and take it to the DMV along with a certified copy of the declaration of emancipation.

S EMANCIPATION PERMANENT?

Emancipation is usually permanent. However, if there are statements on your petition that are not true, or if you become unable to support yourself, the court may set aside the declaration of emancipation.

DO I HAVE CHOICES OTHER THAN EMANCIPATION?

Emancipation is only one of several alternatives available to you if you feel you cannot live with your parents. You may want to consider other options such as:

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 set a hearing on your petition to be conducted within 30 days thereafter.

The clerk will provide you with an endorsed filed copy of the judge's order.

Declaration of emancipation without hearing

If the judge finds that all notice and consent requirements have been met or waived, and that emancipation is not contrary to your best interests, the judge may grant your petition without a hearing.

Setting a hearing and giving notice

If the judge wants more information, a hearing will be held within 30 days of the order prescribing notice and setting for hearing. If the judge orders the matter set for hearing, the clerk will notify the district attorney of the time and date of the hearing. The judge may require that you give notice to your parents and other people of the time and place of the hearing. This is very important, because the judge may be very strict about making sure that your parents were given proper notice before granting an emancipation petition.

Notice is provided by giving or mailing a copy of the emancipation petition to each person the judge lists for you. An adult, 18 years or older, must personally give or mail the copies for you as soon as possible after the hearing date is set, and complete a *Proof of Service* form to be filed with the clerk.

- You can join the armed forces. (This requires parental consent and acceptance by the service.)
- 3. You can obtain a declaration of emancipation from a judge.

This pamphlet tells you only about how to be declared emancipated by a judge. If you want to be declared emancipated by a judge, you must convince the judge that you meet ALL of the following requirements:

- You are at least 14 years old.
- You willingly want to live separate and apart from your parents with the consent or acquiescence of your parents. (Your parents do not object to you living apart from them.)
- You can manage your own finances
- 4. You have a source of income that does not come from any illegal activity.
- 5. Emancipation would not be contrary to your best interests; it is good for you.

HOW DO I GET DECLARED EMANCIPATED BY A JUDGE?

You will need to complete certain forms and file them with the court. You can get blank forms to fill out from the court clerk's office. The forms you *must* fill out are:

- Petition for Declaration of Emancipation of Minor, Order Prescribing Notice, Declaration of Emancipation, and Order Denying Petition (MC-300)
- Emancipation of Minor—Income and Expense
 Declaration (MC-306)

- Notice of Hearing (MC-305)
- Declaration of Emancipation of Minor After Hearing (MC-310)

Emancipation petition

You must file a *Petition for Declaration of Emancipation of Minor* form (MC-300) in the county in which you live. (Check with your local clerk's office to find out which division of the court handles emancipations. If you are a dependent or ward of the juvenile court, the petition must be filed in juvenile court.) Only you may petition the court for emancipation. You will be asked to provide a verifiable residence address. You must also complete and attach to the petition an *Emancipation of Minor—Income and Expense Declaration* form (MC-306).

Filing fee or waiver

You may be required to pay a fee to file your emancipation petition. Ask the clerk if a fee is required. If you cannot afford to pay the fee, you can file an application to have the fees waived, including an Application for Waiver of Court Fees and Costs form and an Order on Application of Court Fees and Costs form. Unless waived, the petitioner shall pay the filing fee as specified. The ability or inability to pay the filing fee is not in and of itself evidence of the financial responsibility of the minor as required for emancipation.

Filling out the forms

- Print or type ALL information requested on the forms
- Sign and date the petition.
- Include a statement explaining your living situation.

- why you want to be emancipated, and how you are supporting yourself. If you have children, tell how you are supporting them. You could also include letters from your employer and your landlord.
- If you do not know where your parents or guardians live, you must tell the court when you last saw your parents and what efforts you have made to find out where your parents live.
- If you know where your parents live, but they refuse to sign the consent, you must get a hearing date from the clerk, and give notice of the hearing to your parents.
- If you know where your parents live, but you do not wish to notify one or both of them about this petition, you must state ALL your reasons and request the court to waive notification to your parents.

Filing the petition and the other forms

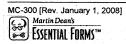
After you have completed the forms and all necessary attachments, and obtained your parents' signatures (if possible), take the forms and the attachments to the clerk's office for filing. (When you pick up the blank forms, ask the clerk how many copies of each form you will need to bring with you. Be sure to keep a copy for yourself.) When you get to the court, tell the clerk that you are filing a petition for emancipation and show the clerk your papers. The clerk will keep at least one copy of your petition. The clerk will either give or direct you to give the petition, the judge will either

- grant your petition; or
- deny your petition; or

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY	
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PETITION FOR DECLARATION OF EMANCIPATION OF MIN	IOR	CASE NUMBER:	
ORDER PRESCRIBING NOTICE			
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1. My name:			
My address:	Magree a fire legies		
I am a resident of or temporarily domiciled in this county.	and the second of the second o	and the second	
2. I request that the court declare me to be emancipated.		3 (17) - 18(1) - 18 (18) - 18 (18) - 18 (18) - 18 (18) - 18 (18) - 18 (18) - 18 (18) - 18 (18) - 18 (18) - 18	
3. a. I am at least 14 years of age and my date of birth is:			
b. I am willingly living separate and apart from my parents or lega	I guardian, with the consent	of my parents or legal guardian	.1
have been living apart from them since (date):			
c. I am managing my own financial affairs. I have completed my o	declaration of income and ex	penses on form MC-306 and att	ached
it to tine potition.	ED TO SPEANAMPPATEUR		
d. No part of my income comes from any activity that is a crime u	nder the laws of the State of	California or of the United State	es.
4. My mother's name is:	Capital associate in activities by bridge		
Her address is:			
Her consent to my emancipation is attached.			
Notice to her should not be required because (state reasons,	ROBATEON VERBOARD AREA		
5. My father's name is:			
His address is:			
His consent to my emancipation is attached.			
Notice to him should not be required because (state reasons) :		
6. 🔲 I have a legal guardian.	or investor.		
My guardian's name is:			
My guardian's address is:			
My guardian's consent to my emancipation is attached.	Company of the Compan		
Notice to my guardian should not be required because (
7. Other person entitled to notice.			
This person's name is:			
This person's address is:			
This person's consent to my emancipation is attached.			
Notice to this person should not be required because (s	tate reasons):		
8. I am a dependent child [probation] ward of the Ju	★ SA 14 15 15 15 15 15 15 15 15 15 15 15 15 15		County.
Case number (if known):			
My social worker probation officer is (name):			
His/hor consent is attached			
HIS/HEI CONSEIN IS AMACHEU.			
declare under penalty of perjury that the foregoing is true and corre	ct and that this declaration is	s executed at	
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THE PETITION IS DENIED. TO THE PETITION OF THE PET	ion 7120
Date:	
Date:	
The Court of Court of the Art of the Art of the Court of	
[SEAL]	
CLERK'S CERTIFICATE	
(Of Declaration of Emancipation) I certify that the foregoing is a true and correct copy of the original on file in my office.	
[The state of t	
PARTE OF COURT DE OFFICARY COMPLE OF RESCENT	
Date: Clerk, by	, Deputy



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
Residence of the second	ne and expense defoultable	
and the second s		And the second s
ATTORNEY FOR (Name): In Pro Per		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF	Madera	
	madora	
STREET ADDRESS: 200 South G Street		
MAILING ADDRESS: Same		
CITY AND ZIP CODE: Madera CA 93637		
BRANCH NAME: Civil Division		Control Applied Section (Associated Section 2)
IN THE MATTER OF (NAME):		
· · · · · · · · · · · · · · · · · · ·		
	Petitioner, a minor	
	rendoner, a minor	0.005.000.0050
		CASE NUMBER:
EMANCIPATION OF M		
INCOME AND EXPENSE DE	CLARATION	
1. My name and address are:	15 10 15 15 15 15 15 15 15 15 15 15 15 15 15	
1. Wy Harric and address are.		
My telephone number is:		
I have been living at this address since:		
I live there with (name and relationship of all persons	including children):	
	, morading ormatory.	
2. My date of birth is:		
3. a. am attending school (name of school and ga	rade)	
and the second s	of advection I have completed in:	
b.	or education i have completed is.	
(A) 海大量的现在分词 医特别氏管结束 经自己		
4. My occupation is:		
And the second of the second o		
5. a. I am employed. My place of employment is (name and address):	
5. a. I am employed. My place of employment is (name and addressy.	
I started work there on (date):		
b. I am not employed at the present time. I last	worked from (starting month and vi	ear)·
	. My gross monthly	
to (ending month and year):	. IVIY GIOSS MORUTY	
		<u>보이</u> 다는 이 이 사쁜 바다 사이에 하는 이렇게 되다.
6. a.	not intend to apply for welfare or Al	FDC.
b. I am receiving welfare or AFDC. Monthly am		
c. I have applied for welfare or AFDC.		
d. I intend to apply for welfare or AFDC.		
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LIN THE MATT	ER OF (NAME):		in the state of the section of the s	CASE NUMBER:		
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		ng bonuses and overtime		\$	Amount	
	oney received from pare ame and relationship):	ents or other adults assisting me		**************************************		
(176	ame and relationship).					
c. 🔲 Ot		amount):		\$		
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		APDO and I do not exped to app or include			<u>Value</u>	*
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b. Ш С	necking account					
c. 🔲 Sa	vings account			\$		
. 🗀 👵						
d. St	ocks, bonds			\$		
e. 🔲 Ve	ehicle (year, make, mod	el)		\$		
. — ·						
t. 🔲 Ot	ner (<i>specify) :</i>			\$		
9. My month	ly expenses are:				Amount	
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	ent or Mortgage.	en anna eo mar el Estarale.	•••••••••••••••••••••••••••••••••••••••	\$		
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c. Cl	othing		•••••	\$		
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) Maintenance			\$		
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Date:	RECORDER ARC	Explayer order visioner				
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		me and Address)	TELEPHONE NO.:	E	OR COURT USE ONLY	
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	Y FOR (Name): In Pro Per					
		NIA COUNTY OF Madera		-		
	RIOR COURT OF CALIFORI EET ADDRESS: 200 South G	NIA, COUNTY OF Madera				
-	EET ADDRESS: 200 SOULII G ING ADDRESS: Same	DITEEL				
	ing address: Saffie and zip code: Madera CA 93	637	•			
	RRANCH NAME: Civil Division	03/				
				1 ^		
IN THE	MATTER OF (NAME):					
			Petitioner a minor			
			Petitioner, a minor	CASE NUMBER		
	NOTICE OF HEAT	RING-EMANCIPATION OF MIN	JOB	CASE NUMBER:		
	· ·					
	CONSE	NT AND WAIVER OF NOTICE			And the second second	
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ATTORNEY OR PARTY WITHOUT ATTORN	IEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY	
ATTORNEY FOR (Name): In Pro P				
SUPERIOR COURT OF CALI		Madera		
STREET ADDRESS: 200 Sou	th G Street			
MAILING ADDRESS: Same CITY AND ZIP CODE: Madera C	A 02627			
BRANCH NAME: CIVIL DIVIS				
IN THE MATTER OF (NAME):				
		Petitioner, a minor		
DECLADATION OF	EMANCIDATION O	F MINOR AFTER HEARING	CASE NUMBER:	
DECLARATION OF	ENANCIFATION	MINORALIERTICATING		
1. This proceeding came on fo		Dept.: Div.:	Room:	
a. Date: b. Judge <i>(name)</i> :	Time:	Dept.: Div.:	Noom.	
c. Present in court:				
Petitioner		Attorney (name):		
☐ Father		Attorney (name):		
Mother Mother		Attorney (name):		
Probation officer (na				
Social worker (name				
County counsel (nan District attorney (nan				
Other (name and rel				
2. THE COURT FINDS THAT:	,			
	is given as prescribed b			
			y rescind the declaration of	
		laible for the minor's support and medical of	coverage.	
c. The petitioner is a persond. Emancipation is not contri				
		S DECLARED TO BE EMANCIPATED FOR	THE PURPOSES SET FORTH	IN FAMIL
CODE SECTION 7050 ET S				
Date:				
		(JUDGE C	OF THE SUPERIOR COURT)	
(SEAL)				
(ount)		CLERK'S CERTIFICAT	TE NO DE LA COMPANSION DE	
	I certify that the f	oregoing is a true and correct copy of the o	original on file in my office.	
	Date:	Clerk, by		, Deputy
	Date:	Cicik, by		_ , Deputy
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