

Emancipation:

Apply for free legal aid online at MontanaLawHelp.org or call/text Kaia, YHDP Coordinator, at (406) 594-1971



Emancipation is a legal way for children to become adults before they turn 18 years old. The court will require you to prove you are ready to take this big step.

In Montana, we call this process a "limited emancipation". Once a child is emancipated, their parents/legal guardians do not have custody or control of them anymore. Emancipation is usually forever, but the court can cancel the emancipation if the minor making the request lies to the court or can no longer support themselves.

If you are emancipated, you will give up the right to be supported by your parents.

Even if you are emancipated:

- You still must go to school
- You cannot get married without your parent's permission
- You will go to juvenile court if you break the law

There are **3 ways** to get emancipated:

- **Get married** - You will need permission from your parents and the court
- **Join the armed forces** - You need permission from your parents, and the armed forces must accept you
- **Get a declaration of emancipation** - You will need to file a court petition to ask a judge for this

A judge must order that you are emancipated. To become emancipated, you have to prove **ALL** of these things:

- You are at least 16 years old;
- You want to live on your own;
- You are responsible enough to live on your own and understand your rights as an adult;
- You can afford to live on your own;
- Emancipation would be best for you; and
- You have graduated or are on track to, have earned your HiSet, or have a *very convincing* reason to not be in school.

Contact us for additional information and assistance.

Find Emancipation information and forms on: MontanaLawHelp.org

Emancipation not a good fit?

- Get counseling or mediation with your parents
- Go to live with another adult (like an aunt, uncle, grandparent, or family friend)
- Get help from public or private agencies
- Make an agreement with your parents to live somewhere else

Tribal communities may have different rules for emancipation. If you are a tribal member living in a tribal community, call MLSA for advice on your specific situation.

How can MLSA help me?

MLSA provides FREE legal information, forms, advice, and representation to eligible clients.

MLSA's Youth Homelessness Demonstration Project (**YHDP**) **Coordinator** can provide you with referrals to agencies in your community and link you with free civil legal assistance.

Have more questions about your legal rights? Visit: MontanaLawHelp.org

