

# How to help a teen get emancipated - AvvoStories

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## How to help a teen get emancipated

FAMILY/KIDS, RELATIONSHIPS, RIGHTS

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◀ 7

Many teens loathe the seemingly tyrannical rules of their parent's house. There is a difference, however, between what they see as a lame midnight curfew and truly abusive parenting. If home life becomes unbearable for those under 18, legal action to escape early—called teen emancipation—may be possible.

Teen emancipation is essentially a custody arrangement whereby a minor is given custody of themselves. The three pathways to emancipation are marriage, military service, and judicial declaration. Marriage and military service are both important life choices that are generally made for reasons independent of escaping a bad home. So, when people talk about teen emancipation, they are usually referring to a judicial declaration of emancipation in the child's best interests.

If your own child actually has a serious case against you, you are likely doing something very wrong as a parent. However, you may know other teens in trouble, and being aware of the specifics of emancipation may help someone in danger who doesn't think they have a way out.

## Show me the money

The reason you mostly hear about teen emancipation in connection to celebrities comes down to money. Actors [Alicia Silverstone](#) and [Juliette Lewis](#) pursued emancipation to circumvent child labor laws restricting the number of hours minors can work, in order to take on bigger roles. For them it was a career move supported by their parents with no practical effect on their family dynamics. The separation isn't always amicable, however, and in those cases, money usually becomes a problem. [Macaulay Culkin](#) and [Jena Malone](#) sought emancipation to protect their bank accounts from parental mismanagement.

Even when the reason for seeking emancipation is physical abuse, as in the case of [Ariel Winter](#), money is a critical component. Emancipation is only granted to youth who can prove they can support themselves fiscally. Unfortunately, proving such could be complicated for teens that aren't currently working or don't have a support system outside the home.

If parents are fiscal crooks, however, the children will likely have a good case for emancipation. Children can be victims of [identity theft](#) by their own parents, or can have their credit history wrecked by parents [racking up credit card debt](#) on accounts opened in the child's name. Any of these financial scenarios could definitely be used to convince a judge that emancipation is in your "best interest", because it would help the child avoid a lifetime repairing bad credit.

## When it's not about the money

Admittedly, it can be very complicated to seek teenage emancipation without the resources of a child star. The non-financial causes for emancipation are the same as causes for placement in foster care. In other words, the situation must genuinely be untenable. There are grounds for a child to legally separate from their parents:

- If they're being abused, or threatened with abuse
- If they are pressured or forced to participate in illegal activities
- If the home is unsafe and unsanitary
- If parents kick a child out of the home and fail to make arrangements for them to live elsewhere

## Emancipation or foster care?

If the causes for emancipation and foster placement are the same, how do you know if emancipation is the right course? First of all it depends on your [state's law](#). In most states, 16 is the youngest age that a minor can petition for emancipation, although 14 is the minimum age in California. By contrast, in Alabama, the age of adulthood is 19, a person must be 18 to petition for emancipation.

[Emancipation grants](#) the rights and responsibilities of adulthood—but not all of its privileges. A minor still has to wait until they're 21 to drink alcohol, 18 to vote, and 16 to drive. Many states, such as California, have closed the loophole in child labor laws, so they may still be limited in the number of hours you can work.

Once emancipated, the child's parents will no longer have any legal authority over him or her, but they will not have any financial responsibility either. The emancipated party will be responsible for their own housing, medical care, food, and, auto insurance. They will have the right to sign contracts and be sued if they break them. If they commit any crimes, they may be tried as an adult.

If the person in question is old enough, and one or more of the conditions for emancipation apply, they'll have to petition a court and provide evidence they can legally support themselves while having another place to live. Should those living arrangements involve an adult relative, most states will require that adult to petition for custody of the emancipated party. That is a complicated process requiring a lawyer, who you should definitely reach out to for more details if you find yourself helping a teen looking to emancipate.

## How to emancipate

First and foremost, if it is clear a child is facing abuse at home, **call the police or child protective services**. Do not let them remain in a dangerous situation while you work with the child to try and make long-term arrangements.

Once they're safe, here are the steps for emancipation you can impart to them:

1. The petition form itself is usually fairly straightforward, but it can be confusing to figure out what kind of supporting documentation is necessary. In many states, youth seeking emancipation are eligible for free legal assistance. For example, in [Connecticut](#) the juvenile court will appoint the child a lawyer. In California, [Legal Services for Children](#) will guide them through the process. If you (or they) can afford one, get an [attorney](#) to help you navigate the process.
  2. Fill out the petition paperwork and collect documentation that proves they meet the conditions for emancipation. Documentation would include, for example, a lease agreement, bank statements, and an employment contract.
  3. Encourage the youth to keep working and attending school (or get your GED). Judges will look for evidence that they are capable of living like an adult. Make it easy for them by living like an adult.
  4. Submit the petition and attend the court hearing.
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