

EMANCIPATION INFORMATION
LANE COUNTY JUVENILE DEPARTMENT

Oregon law provides that the Juvenile Court may, under certain conditions, grant emancipation status to a child. The basic requirements are:

- 1.) The person must be sixteen (16) or seventeen (17) years of age,
- 2.) The legal residence or domicile of the legal custodial parent must be in Lane County,
- 3.) If the child is under the jurisdiction of the Juvenile Court pursuant to ORS 419B.100 or 419C.005, the domicile of that child shall be that of the Juvenile Court having Jurisdiction, and
- 4.) A filing fee of \$150.00 must be paid.

The Juvenile Court, at its discretion, may enter a decree of emancipation when the applicant qualifies as listed above, and the Court finds that the best interest of the minor will be served by emancipation. In making its determination, the Court will take into consideration the following facts:

- 1.) Whether the parent of the minor consents to the proposed emancipation,
- 2.) Whether the minor has been living away from the family home and is substantially able to be self-maintained and self-supported without parental guidance and supervision, and
- 3.) Whether the minor can demonstrate to the satisfaction of the Court that the minor is sufficiently mature and knowledgeable to manage the minor's affairs without parental assistance.

The procedure to follow when requesting emancipation is as follows:

- 1.) The youth seeking the emancipation obtains an emancipation application form from either the Lane County Juvenile Justice Center at 2727 Martin Luther King Jr. Blvd., Eugene, OR, or Lane County Circuit Court at 125 E. 8th Avenue, Eugene, OR.
- 2.) The youth presents the application and the fee to the Clerk of the Court, Lane County Juvenile Justice Center, 2727 Martin Luther King Jr. Blvd., Eugene, OR 97401.
- 3.) The Juvenile Court shall conduct a preliminary hearing within ten (10) court days of the filing date. Notification to the parents and/or guardian must be made according to Oregon Law.
- 4.) At the initial hearing, the court will discuss emancipation and the civil and criminal rights and liabilities of an emancipated minor with the child and any parent or guardian present. The final hearing will be held no later than sixty (60) days or as soon as possible after the date on which the application is filed unless waived by the minor and parent or parents.
- 5.) Upon entry of a decree of emancipation by the Court, the applicant shall be given a copy of the decree. The decree shall instruct that the applicant obtain an Oregon Drivers License or Identification Card through the Motor Vehicles Division of the Department of Transportation and that the Motor Vehicles Division make a notation of the minor's emancipated status on the license or identification card.

A decree of emancipation will serve **only** to:

- 1.) Recognize the minor as an adult for the purposes of contracting and conveying, establishing a residence, suing and being sued, and recognize the minor as an adult for the purposes of the criminal laws of this State.
- 2.) Terminate as to the parent and child relationship the provisions of ORS 109.010 until the child reaches the age of majority.
- 3.) Terminate as to the child and parent relationship the provisions of ORS 109.053, 109.100, 419B.373, 419B.400, 419B.402, 419B.404, 419B.406, 419B.408, 419C.590, 419C.592, 419C.595, 419C.597, and 419C.600.
- 4.) A decree of emancipation shall not affect any age qualification for purchasing alcoholic liquor, tobacco products, the requirements for obtaining a marriage license, nor the minor's status under ORS 109.510.
- 5.) An emancipated minor shall be subject to the jurisdiction of the adult courts for all criminal offenses.

A person making application for emancipation status should consult an attorney. The Juvenile Court will not appoint legal counsel for emancipation proceedings.