Emancipation of Children

As children enter their teen years and gain more independence from parents, both may have questions regarding the process, legal requirements and consequences of emancipation.

Emancipation is a legal way for children to become adults before they turn eighteen. Under California law, a minor may be emancipated by a court declaration of emancipation under the Emancipation of Minors Law, California Family Code 7000 i.e. (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=7000.&lawCode=FAM) , which provides that a person is an emancipated minor if they fulfill one of these three categories:

1. The minor has gotten married with permission from parents and the court.
2. The minor has joined the armed forces with permission from parents.
3. The minor has received a declaration of emancipation from a judge.

California law (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=7002.&lawCode=FAM) states in order to get a declaration of emancipation from a judge, the minor have to prove **ALL** of the following criteria.

- The minor must be at least 14 years old;
- the minor must not want live with their parents and the parents do not mind if the minor moves out;
- the minor can handle their own money;
- the minor is employed and has a legal way to make money.

More general information about emancipation can be found on the California Courts' "Emancipation in California (http://www.courts.ca.gov/selfhelp-emancipation.htm) " website.

Once a minor is emancipated, his or her parents do not have custody or control of them anymore, and they can do some things without parental permission, including: get medical care, apply for a work permit, and sign up for school or college. However, an emancipated minor must go to school, must get parental permission before getting married, and will go to juvenile court if they break the law. For more general information on emancipation, look at this Emancipation Pamphlet (EM-100-Info) (https://www.courts.ca.gov/documents/em100info.pdf) provided by the Judicial Council of California.

If you or someone you know is considering emancipation, check out this informative legal guide (https://lsc-sf.org/wp-content/uploads/2025/04/LSC-Emancipation-Manual-2023.pdf) (https://lsc-sf.org/wp-content/uploads/2025/04/LSC-Emancipation-Manual-2023.pdf) from Legal Services for Children (http://www.lsc-sf.org/). Legal Services for Children is an organization that takes calls from children and people calling on behalf of children. The person who answers the call cannot represent a child, but they can give the caller advice and referrals.

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Useful Resources

- Judicial Council of California: Emancipation Pamphlet (https://www.courts.ca.gov/documents/em100info.pdf)
- Legal Services for Children (http://www.lsc-sf.org/)
- LSC Emancipation Manual (https://lsc-sf.org/wp-content/uploads/2025/04/LSC-Emancipation-Manual-2023.pdf)