

KNOW YOUR RIGHTS FACT SHEET

Emancipation



NATIONAL
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LAW CENTER

What is emancipation?

Emancipation is the legal process of becoming independent from your parents or guardian before you reach adulthood. It allows you to live and make decisions independently but also releases your parent or the state from any duty to support you. Emancipated youth take on **most** of the responsibilities of adulthood (like supporting themselves financially) but only **some** of the privileges (like choosing where to live).

What are my rights and responsibilities if I am emancipated?

Emancipation generally does not allow you to vote, drink alcohol or own firearms before the age limit. But it does allow you to sign contracts, consent to healthcare, easily access employment, and apply for social services.

Can emancipation help unhoused youth?

If you are unhoused, on your own, and already responsible for taking care of your own needs, emancipation could help you more easily access services to obtain and maintain housing. Emancipated youth can consent to shelter and access housing programs without parent/guardian permission and without child welfare/police involvement. Emancipated youth can also sign leases, apply for and directly receive food assistance, TANF, health insurance, and disability benefits, and apply for professional licenses and keep any money earned from work.

How can I find an attorney to help me with emancipation?

Even if your state has an emancipation process, it can be really helpful to work with an attorney to prepare and file your emancipation case. Check out the Homeless Youth Legal Network directory to find a lawyer near you: [Homeless Youth Legal Network Directory](#).

How do I emancipate in my state?

Many states have their own emancipation process written into law, with specific instructions and forms. Generally, you will have to prove that you either have been or can live apart from your parents (it can usually be with a relative or friend or housing program, it doesn't necessarily require that you live completely on your own); that you have some source of income (it doesn't necessarily have to be from employment - SSI, TANF, or other public assistance can count); and that you can manage your own financial, educational and personal affairs.

Some states don't have a formal process and it will likely require an attorney to navigate emancipation in those states. These states do not have an emancipation process: Colorado, Delaware, District of Columbia, Hawaii, Idaho, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, and Wisconsin.

How can I learn more about emancipation in my state?

If possible, consult an attorney. But if you are curious if you might qualify, the Social Security Administration put together a detailed description of the emancipation process in each state: [Click here and find your state.](#)