5-02/170.00 - Emancipated Minors

The "Emancipation of Minors Act," 62 Civil Code eq seq., defines emancipation and enumerates the rights, liabilities, and privileges thereof.

An emancipated minor is any person under the age of 18 years who:

- Enters into a valid marriage;
- Is on active military duty; and/or
- Has been declared emancipated by the superior court pursuant to 64 Civil Code.

Emancipated minors are considered adults for purposes of entering into binding contracts, buying and selling property, and generally controlling their own finances. For law enforcement's concerns, emancipated minors:

- May consent to medical, dental, or psychiatric care;
- Have no right to parental support; and
- Are exempt from the provisions of sections 300 and 601 WIC.

Minors, 14 years of age or older, may petition the superior court for a declaration of emancipation. They must be able to show that they are willingly living separate and apart from their parents or guardians with their consent and acquiescence and managing their own lawful financial affairs.

NOTE: Parents or guardians may not petition the court for the emancipation of their minor child.