



Emancipation

Definitions in Wyoming:

Minor – a person under the age of 18

Adult – a person who is 18 or older

(1) Who, What, When, Where, and How?

Who can be emancipated?

The following are the requirements to be emancipated in Wyoming:

- A Wyoming resident;
- At least 17 years old;
- Is willingly living separately from their parent(s), and their parent(s) have given permission for them to live separately from them;
- Has a job and is able to financially support themselves

See W.S. § 14-1-203(a)

What is emancipation?

Emancipation is a legal process that gives a minor the legal power of an adult. Emancipation can be an important tool for certain teenagers, but you should think about it carefully before moving forward. After emancipation, your parent(s) are no longer responsible for taking care of you. This means that you will have to take care of yourself and pay for things you need – including housing, food, and clothing.

What rights does an emancipated minor have?

When a minor is emancipated in Wyoming, it means that they now have the legal capacity of an adult. This gives the minor the ability to:

- Enter into a Contract: For example - purchase a car, sign a rent lease, open a bank account, etc.
- Sue or be sued
- Buy or sell property
- Live on their own

After emancipation, the minor also:

- Can be held accountable to the laws of the state. This means that you can be charged as an adult for any criminal activity, and must obey the laws of the state like any other adult.
- Your parent(s) are no longer required to pay for your expenses or help you in any way.

See W.S. § 14-1-202 (W.S. = Wyoming Statute)

When can a minor become emancipated in Wyoming?

A minor MUST BE at least seventeen (17) years old to request emancipation.

Where do I file a petition for emancipation?

With the clerk of the district court for the county where you live.

How do I become emancipated?

If you meet the requirements, you can start the legal process to become emancipated. You must file a Petition for Emancipation with the court. The Petition for Emancipation is the legal request to the court to become emancipated. You may need help from a lawyer to start the process. If you can't afford a lawyer, you may want to go to a legal aid program to request free legal assistance. ([Legal Aid of Wyoming](#), [Equal Justice Wyoming](#))

(2) The Petition for Emancipation

What must be included in a petition for emancipation?

The petition must state:

- The minor's full legal name, age and date of birth, and place of residence (the physical address where the minor is living);
- The name and address of each living parent;
- Whether the parent(s) consent to the minor living separate from them;
- If there is a guardian, the name and address of the guardian;
- How the minor will support themselves (job and how much income the minor is making);
- Whether the parent(s) consent to the emancipation; and
- Why the emancipation would be in the best interest of the minor

See W.S. § 14-1-203(a)

Do I need an attorney to file the petition?

No. Minors can file the petition themselves. However, it is best to consult an attorney.

What happens after a petition for emancipation is filed with the court?

The court will send a notice of a hearing to the minor and the minor's parent(s) within 60 days after the petition is filed, and at least 10 days before the hearing. You will have to go to the court and attend the hearing.

(3) The Emancipation Hearing

What happens at the hearing?

There will be a meeting (hearing) in front of the judge to talk about the petition for emancipation.

If the parents have not consented, then they will have a chance to say why they do not agree to the emancipation.

The judge will explain what the effects (the rights and responsibilities) of emancipation are (see W.S. § 14-1-202).

The judge will also consider the following before making a decision whether to grant or deny the emancipation:

- Whether or not the minor's parent(s) consent to the emancipation;

- Whether or not the minor is able to take care of themselves, including the ability to financially support themselves;
- Whether the minor is mature enough to handle the rights and responsibilities of being an adult;
- Whether or not the minor is willingly living apart from their parent(s)

See W.S. § 14-1-203(c) & (d)

What happens after the hearing?

- If the judge grants the petition, the court will enter a decree of emancipation.
- The court will file the decree with the county clerk of the county that the minor lives in.
- The minor is now emancipated.
- You will use the decree for emancipation to show you can make decisions for yourself and enter into contracts, buy property, etc.
- If the judge denies (does not grant) the petition, the minor is not emancipated and does not have the legal rights of an adult.

See W.S. § 14-1-203

Notes

TASK	DUE DATE	DONE