

PEGASUS LEGAL SERVICES

Pegasus Legal Services for Children is a nonprofit agency that provides free or sliding scale civil legal services to children, youth, and their caregivers, including direct representation, community legal education, and systemic advocacy. Pegasus prides itself on providing comprehensive, high-quality legal services to the most vulnerable children and youth in New Mexico.

For more information please visit our website: PegasusLaw.org

**OUR MISSION IS
TO PROMOTE AND
DEFEND THE RIGHTS
OF CHILDREN AND
YOUTH TO SAFE,
STABLE HOMES,
QUALITY EDUCATION
AND HEALTHCARE,
AND A VOICE IN
DECISIONS THAT
AFFECT THEIR LIVES.**



505.244.1101

info@pegasuslaw.org

PegasusLaw.org

**505 Marquette Ave NW, Suite 1350
Albuquerque, NM 87102**



**YOUTH LAW:
EMANCIPATION**

GETTING EMANCIPATED

Getting emancipated means you are treated like an adult in some ways even though you are still under the age of 18. This brochure gives you information about the different ways you can become an emancipated minor, and what effect emancipation has on your legal rights.

HOW CAN I GET EMANCIPATED?

- Get married.
(Requires the consent of your parent)
- Join the military.
(Requires the consent of your parent)
- Have a judge declare you an emancipated minor.



HOW DO I QUALIFY TO BE EMANCIPATED BY A JUDGE?

A judge may allow you to become emancipated if you are 16 years old and are:

- Willingly living apart from your parents or legal guardian; AND
- You are managing your own money; AND
- The judge believes that emancipation is in your best interests

WHAT HAPPENS ONCE I AM EMANCIPATED?

Once you are emancipated, many things may change. For example:

- You can consent to your own medical, dental and/or mental health care.
- You can sign contracts. For example, you can sign a lease to get your own apartment.
- You can sue in your own name. Emancipation also means that you can be sued and you will be solely responsible.
- Your parents do not have to support you financially, unless a judge specifically states otherwise.
- You can sign up for public benefits in your own name.
- Emancipation does not automatically make you an adult for criminal cases.

DO I NEED MY PARENTS' APPROVAL?

No. However, your petition to become emancipated must be sent to your parents or guardian. If they object to your emancipation, the Judge will have a hearing and will hear your argument and your parents' arguments and decide whether or not emancipation is in your best interest.

DO I NEED TO BE IN SCHOOL TO BECOME EMANCIPATED?

No. The law does not state that you must be attending school, but judges will take into consideration whether you are pursuing educational or career goals to help you support yourself in the future.

DO I NEED TO HAVE A JOB?

No. However, to become emancipated, you need to show that you are managing your own money.