SELF-SERVICE CENTER

HOW TO REQUEST A COURT ORDER FOR EMANCIPATION OF A MINOR

FIRST STEPS: Follow each step carefully.

1 MAKE SURE YOU MEET THE QUALIFICATIONS. See the Checklist at the beginning of the forms packet. **Note that if you are older than 17 and 9 months, you may turn 18 and be emancipated automatically before this court process is completed.**

2 COMPLETE THE COURT FORMS IN THIS PACKET: Fill out all forms completely and in **black ink**. Some of these forms have separate instruction sheets to help you. The ***"Consent"*** and ***"Motion to Seal"*** forms listed below are OPTIONAL. They may be used if needed but are not required.

- **"JUVENILE EMANCIPATION INFORMATION SHEET"** Complete everything but the "Case Number". The Clerk of the Court will stamp a Juvenile Court Case Number, starting with the letters "**JE**" when you file the papers. You will use this case number on all court papers you file with the Clerk in this case.
- **"PETITION FOR EMANCIPATION OF A MINOR"** *(and any required attachments).* See the separate instructions for this form.
- **"CONSENT TO EMANCIPATION OF A MINOR" If any parent or guardian consents** to your emancipation, have each of them complete the ***"Consent"*** form and sign it in the presence of a deputy clerk of court or a notary public. Consent is NOT REQUIRED, but does support your request to the court.
- **"MOTION TO SEAL" (Request to Keep Information Confidential) If** you believe you would be in danger if your contact or location information was publicly available or distributed to the persons required to receive notice of your request for emancipation, fill out this form to request that information be kept confidential. You will have to explain to the Court why this information should be kept out of the public file.

NOTICE OF HEARING. Once a hearing is scheduled Court staff will provide notice of the date, time, and location of the hearing to you by U. S. mail and to other parties required to receive notice by Certified Mail.

3 MAKE COPIES AND SEPARATE YOUR PAPERS.

Assemble your papers so that you have **2 packets: one set of originals** and **one set of copies**. The originals will be filed by the Clerk of Court and placed in the court file; the copies will be stamped by the Clerk and returned to you to keep for your records.

ORIGINALS should include:

- One **(1) "Juvenile Emancipation Information Sheet"**
- One **(1) "Petition for Emancipation of a Minor" and**
- One **(1) original signed, notarized "Consent to Emancipation"** <u>**for**</u> <u>**each**</u> parent or legal guardian that signed one**.** (This document is **optional** – not required.)
- One **(1) "Motion to Seal"** (Request to Keep Information Confidential). **(Optional)**

SET 2, COPIES FOR YOUR RECORDS should include:

- One **(1) COPY** of the **"Petition for Emancipation of a Minor" and**
- One **(1) COPY** of each signed **"Consent to Emancipation"** <u>**for**</u> <u>**each**</u> parent or legal guardian that signed one**.** (This document is **optional** – not required.)
- One **(1) "Motion to Seal"** (Request to Keep Information Confidential). **(Optional)**

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FILE THE PAPERS AT THE COURT:

4 DETERMINE WHERE TO FILE THE COURT FORMS:
There are two facilities for the Maricopa County Juvenile Court:

Durango Facility	**Southeast Facility**
3131 W. Durango Street	**1810 S. Lewis Street**
Phoenix, AZ 85009	**Mesa, AZ 85210**

Cases are assigned to a facility based upon the zip code of the residence of the Minor. If the zip code is 85200 through and including 85299, or any zip code area that is east of Central Avenue in Phoenix, the case will probably be assigned to the Southeast Facility. Any zip code that is west of Central Avenue will probably be assigned to the Durango Facility.

You can present your documents for filing at either location; ***however,*** your hearing will be held at the facility to which your case is assigned.

5 TAKE THE ORIGINALS AND COPIES TO THE CLERK TO BE FILED: Take the **originals** and **copies** to the Clerk of the Court, Juvenile Division, on the first floor of the court, for processing. Court staff will review the papers and speak to you before the papers are filed with the Clerk's Office.

6 PAY YOUR FILING FEE OR REQUEST A DEFERRAL: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. A list of current fees is available from the Self Service Center and from the Clerk of Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of the Court. Deferral Applications are available at no charge from the Self-Service Center.

7 Once the **"*Petition for Emancipation of A Minor"*** is filed, the Court will schedule a hearing to be held within 90 days. The Court will notify those required to receive notice of the hearing date and time. This would include your biological or adoptive parents, if living, and any current legal guardian. If you are unable to locate a parent or legal guardian, be prepared to explain to the Court at the hearing why you cannot locate that person and to prove to the Court you did everything you could to try to find that parent or legal guardian.

Note that the following persons cannot give consent and are not entitled to notice:

- A parent whose rights have been terminated by court order.
- Step-parents, *unless* they legally adopted you,

8 OTHER HELP: Court personnel can answer certain limited questions about the procedures involved, but only an attorney can provide legal advice. You can call the Maricopa County Bar Association's Lawyer Referral Service at 602-257-4434 to schedule a half-hour consultation for a fee.

Also, the Self-Service Center has a list of lawyers who will, for a fee, assist you on a task-by-task basis or advise you on how to conduct your own case. The list shows where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what their experience is. You may view the list at the Self Service Center or on the Court's web site.

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