

Emancipation

This is the packet to be used when a minor wants the court to remove the “disability” of nonage. In other words, emancipation is the act by which a person gains all of the rights and responsibilities of an adult.

1. The heading of the forms calls for the name of the minor. Your current name should go where the documents ask for the name of the petitioner, as you are the one who is asking the court for action. The judicial circuit, case number, and division may be obtained from the Clerk’s Office when you file the petition.
2. The completed original petition must be signed in the presence of a notary public or deputy clerk. To obtain a court order, the minor must be at least 16 years of age. The petition for emancipation of a minor must be completed and filed by the minor’s parent(s) or legal guardian, or if none, then by a guardian ad litem.
3. The completed original forms must be filed with the Clerk of the Circuit Court in the county where the minor lives. In Leon County, you will file your forms in the Family Law Division, Suite 100, Leon County Courthouse, 301 South Monroe Street, Tallahassee, FL 32301. You should keep a copy of this petition for your records.
4. A deputy clerk will notarize signatures for a fee, collect the appropriate filing fee, and assign a Family Law case number and judge to the action.
5. You must pay the appropriate [filing fees](#) to the clerk’s office. If you cannot afford to pay the filing fees, you will need to fill out an Application for Indigence. If you are found indigent, the filing fees will be waived; however, summons issuance fees must be paid.
6. You will be given a receipt that reflects your case number and a telephone number for the case manager.
7. Within approximately four weeks, you will hear from the case manager, and receive a court date if the file is complete or notification requesting any documents that may be missing from the file to process your case. You may be required to attend a final hearing.
8. At the court hearing, a deputy clerk will provide copies of the Final Judgment if entered, and collect certain fees for certification and recording. If you have been declared indigent, the fees will be waived.
9. Check with the case manager to see if you need to bring the Final Judgment of Emancipation form with you to the hearing. If you do, you should type or

print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

10. If the court is satisfied that emancipation is in the minor's best interest, it will enter an order removing the disabilities of nonage and authorize the minor to perform all acts that the minor could do if he or she were 18 years of age. The order will be recorded in the public records of the county where the action is filed. The minor will need to obtain certified copies of the order to show proof of his or her emancipation.
11. It may be helpful to compile a list of all of the people and/or places that will need a copy of your final judgment. This list may include the driver's license office, social security office, banks, schools, etc. A list will help you know how many copies of your order you should get from the clerk's office after your hearing.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, STATE OF FLORIDA

IN RE: EMANCIPATION OF:

_____, Case #: _____
a minor.

PETITION FOR EMANCIPATION OF A MINOR

1. Petitioner, _____, whose address is

_____,

and whose relationship to the above minor is _____,

petitions this Court to remove the disabilities of nonage of the above minor.

2. The minor, _____, is 16 years of age or older. The
minor's date of birth is _____.

3. The minor currently resides at _____,
and has a mailing address of _____.

4. The minor is a resident of _____ County, Florida.

5. The parents of the above minor are _____, Father,
whose residence is _____ and
whose mailing address is: _____,

and _____, Mother, whose residence is _____
_____ and whose mailing address is: _____
_____.

6. The name, date of birth, custody and location of any children born to the minor

are as follows:

Name: _____

Date of Birth: _____

Custody and location: _____

(Attach extra sheet if there are additional children.)

7. The minor's character, habits, education, income, and mental capacity for

business are as follows:

8. The minor's needs with respect to food, shelter, clothing, medical care, and

other necessities will be met as follows:

9. With respect to whether the minor is a party to or subject of a pending judicial proceeding in this State or any other jurisdiction or the subject of a judicial order of any description issued in connection with such judicial proceeding, such as a child support order, custody or visitation order or guardianship: *(check only one)*

____ The minor is not a party or subject to pending judicial proceedings.

____ The minor is a party to or subject to a pending judicial proceeding,

namely, _____

(note the nature of proceedings, case number, court/jurisdiction where case is pending, and names and address of parties).

10. The disabilities of nonage should be removed from the minor for the following reason:

11. The above minor has joined in this petition and consents to the Court granting an Order of Emancipation as indicated and evidenced by the minor's signature on this petition.

WHEREFORE, the Petitioner and the Minor request that this Court enter an Order of Emancipation removing the disabilities of nonage of said Minor.

Signed this _____ day of _____, 20__.

Signature of Petitioner

Printed name of Petitioner

Street Address of Petitioner

City/State/Zip of Petitioner

STATE OF FLORIDA,
COUNTY OF _____.

BEFORE ME, the undersigned authority, personally appeared _____
_____, who has acknowledged before me that he/she is the
Petitioner in the above Petition for Emancipation of a Minor and executed the same, and
said person is ___ personally known to me OR ___ produced identification: _____
_____.

Witness my hand and official seal this _____ day of _____, 20__.

Notary Public/Deputy Clerk

CONSENT BY MINOR

I, _____, the above named minor, consent to the entry
by this Court of an Order of Emancipation and I am fully ready to assume my
responsibilities as an adult.

Signed this _____ day of _____, 20__.

Minor's signature

Minor's printed name

Minor's street address

Minor's City/State/Zip

STATE OF FLORIDA
COUNTY OF _____

BEFORE ME, the undersigned authority, personally appeared _____
_____, who has acknowledged before me that he/she is the
Minor that is the subject of the Petition for Emancipation of a Minor and that he/she
executed the foregoing Consent, and said person is ___ personally known OR ___
produced identification: _____.

Witness my hand and official seal this _____ day of _____, 20__.

Notary Public/Deputy Clerk

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, STATE OF FLORIDA

IN RE: EMANCIPATION OF:

_____, Case #: _____
a minor.

FINAL JUDGMENT OF EMANCIPATION

THIS CAUSE was heard on the Petition for Emancipation of a Minor filed by the Petitioner. The Court, having jurisdiction over the subject matter, and being fully advised in the premises, finds as follows:

1. The minor is capable of being an adult, bearing the responsibilities and privileges of being an adult.
2. The minor has demonstrated the maturity of managing her own affairs, without the supervision of a parent or legal guardian.
3. The minor and the parent or legal guardian have agreed for the parent or legal guardian to relinquish his/her rights to control of the minor child.

It is, therefore, ORDERED AND ADJUDGED:

The minor child is adjudged to be emancipated upon this Final Judgment becoming final. The minor child will be emancipated and enjoy the privileges and responsibilities of being an adult as defined by Florida Statute.

DONE AND ORDERED this ____ day of _____,
20____, in Tallahassee, Leon County, Florida.

Circuit Judge

Copies to:
Petitioner
Respondent
Minor