



COLUMBIA COUNTY CIRCUIT COURT

EMANCIPATION INFORMATION JUVENILE DEPARTMENT

Oregon law states that the Juvenile Court may, under certain conditions, grant emancipation status to a minor. The basic requirements are:

- 1) The person must be at least sixteen (16) years of age,
- 2) The legal residence or domicile of the legal custodial parent must be in Columbia County,
- 3) If the minor is under the jurisdiction of a Juvenile Court pursuant to ORS 419B.100 or 419C.005, the domicile of that minor shall be that of the court having jurisdiction, and,
- 4) The Juvenile Court will set a reasonable filing fee.

The Juvenile Court at its discretion may enter a Judgment of Emancipation when the applicant qualifies as listed above, and the Court finds that the best interests of the minor will be served by emancipation. In making its determination, the Court shall take into consideration the following factors:

- 1) Whether the parent of the minor consents to the proposed emancipation,
- 2) Whether the minor has been living away from the family home and is substantially able to be self-maintained and self-supported without parental guidance and supervision, and
- 3) Whether the minor can demonstrate to the satisfaction of the Court that the minor is sufficiently mature and knowledgeable to manage the minor's affairs without parental assistance.

The procedure to follow when requesting emancipation is as follows:

- 1) The minor seeking the emancipation obtains an emancipation application and summons form(s) at the courthouse and/or www.courts.oregon.gov/Columbia. The minor must complete the application and a separate summons for each parent or guardian listed. **THE MINOR MUST LIST ALL PARENTS AND/OR GUARDIANS ON THE APPLICATION.**
- 2) The minor presents the completed application, summons, and the \$265 fee to the Columbia County Circuit Court, 230 Strand Street, St. Helens, Oregon 97051. The Clerk will provide a court date on the summons and return them to the minor for service. The clerk will then forward the application to the Juvenile Court.
- 3) The Juvenile Court shall conduct a preliminary hearing within ten (10) court days of the filing date.

- 4) You must have the subpoenas served to all parents and/or guardians in accordance with ORS 419B.555(3) and ORS 419B.812 to 419B.829, and department policy. A proof of service must be filed with the court for each parent and/or guardian that is served.
- 5) At the hearing, the Court may grant or refuse to grant emancipation.
- 6) Upon entry of a Judgment of Emancipation by the Court, the applicant shall be given a copy of the judgment. The judgment shall instruct that the applicant obtain an Oregon identification card through the Motor Vehicles Division of the Department of Transportation and that the Motor Vehicles Division make a notation of the minor's emancipated status on the license or identification card.

A judgment of emancipation will serve only to:

- 1) Recognize the minor as an adult for the purposes of contracting and conveying, establishing a residence, suing and being sued, and recognize the minor as an adult for the purposes of the criminal laws of this State.
- 2) Terminate as to the parent and child relationship the provisions of ORS 109.010 until the child reaches the age of majority.
- 3) Terminate as to the child and parent relationship the provisions of ORS 109.053, 109.100, 419B.373, 419B.400, 419.402, 419B.404, 419B.406, 419B.408, 419C.550, 419C.590, 419C.592, 419C.595, 419C.597, and 419C.600.
- 4) A Judgment of Emancipation shall not affect any age qualification for purchasing alcoholic liquor, the requirements for obtaining a marriage license, nor the minor's status under ORS 109.510.
- 5) An emancipated minor shall be subject to the jurisdiction of the adult courts for all criminal offenses.

A person making application for emancipation status should consult an attorney. The Juvenile Court will not appoint legal counsel for emancipation proceedings.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of the Emancipation of:

APPLICATION FOR JUDGMENT
OF EMANCIPATION

CASE NO. _____

Applicant.

I, the applicant, whose name appears above, do hereby apply for a Judgment of Emancipation from the above Court and declare as follows:

- (1) I wish to be recognized as an adult and emancipated for the following purposes:
- (a) Contracting and conveying, establishing a residence, suing and being sued, and treated as an adult for purposes of criminal laws and curfew laws of this State:
 - (b) Terminating the parent and child relationship as to ORS 109.010 until age 18, ORS 109.055, 109.110, 419C.550, 419C.590, 419C.592, 419C.597, 419C.600.

(2) I realize that a Judgment of Emancipation does not affect the age qualifications for purchasing liquor, the requirements for obtaining a marriage license, nor the minor's status under ORS 109.510.

(3) I was born on the _____ day of _____, _____ and I am now _____ years of age.

(4) I currently reside at _____, in the city of _____, County of Columbia, State of Oregon, and I intend that Columbia County be my place of residence for the indefinite future.

(5) My custodial parent(s) or guardian(s) do do not consent to my emancipation.
If no, please explain: _____

(6) I am substantially able to be self sufficient and self-supporting without parental guidance and supervision.

(7) My employer's name: _____
Address: _____
Phone number: _____
My position: _____
Monthly income: _____ Date Started: _____

(8) I am sufficiently mature and knowledgeable to manage my own affairs without parental assistance.

(9) Parent and/or Guardian Name: _____

Relation to Applicant: _____

Mailing Address: _____

Phone Number: _____

Parent and/or Guardian Name: _____

Relation to Applicant: _____

Mailing Address: _____

Phone Number: _____

A separate sheet is attached to list additional parents and/or guardians

WHEREFORE, I request that the Court enter a Judgment as follows:

1. Declaring me to be an emancipated minor;
2. Advising me of my civil and criminal rights and liabilities.
3. Instructing me to obtain from the Oregon Motor Division an Oregon driver's license or identification card with a notation thereon of my emancipated status.

I, the above-named minor, being first duly sworn on oath, depose and say that I am the applicant in the above entitled proceedings, that I have read the foregoing Application for Emancipation, know the contents thereof, and that it is true according to my personal knowledge.

Dated: _____

Signature of Applicant

Mailing Address

City, State, Zip Code

Phone Number

SUBSCRIBED AND SWORN to me before this _____ day of _____, 20____.

Court Clerk / Notary Public for Oregon
My commission expires: _____

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of: _____) **Case No.** _____
)
)
_____,)
a minor.) **SUMMONS**
) **(Emancipation)**

TO: _____

IN THE NAME OF THE STATE OF OREGON:

You are directed to appear before the above entitled court at the Columbia County Courthouse, 230 Strand Street, St. Helens, Oregon 97051 on:

_____ at _____ a.m/p.m. in Courtroom _____
for the preliminary hearing.

NOTICE: READ THESE PAPERS CAREFULLY!
STATEMENT OF FACTS

The attached Application for Emancipation has been filed by the minor and is within the jurisdiction of the Court because the minor reside in Columbia County. A true copy of the original Application for Emancipation is attached and incorporated by reference into this Summons.

IF YOU DO NOT APPEAR IN COURT, THE COURT WILL CONTINUE WITH THE PROCEEDINGS WITHOUT YOU.
IT IS YOUR RESPONSIBILITY TO KEEP IN CONTACT WITH THE COURT.

STATE OF OREGON)
) ss. Deputy Court Administrator/Designee
County of Columbia) By: _____

I certify that this is a true copy of the original Summons and Application for Emancipation on this case.

Dated Issued: _____ By: _____
Deputy Court Administrator/Designee

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

In the Matter of:

) Case No. _____
)

_____,
a minor.

) SUMMONS
) (Emancipation)

TO: _____

IN THE NAME OF THE STATE OF OREGON:

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STATE OF OREGON)
) ss.
County of Columbia)

Deputy Court Administrator/Designee
By: _____

I certify that this is a true copy of the original Summons and Application for Emancipation on this case.

Dated Issued: _____

By: _____
Deputy Court Administrator/Designee

PROOF OF SERVICE

STATE OR OREGON)
) ss.
County of Columbia)

I, _____, hereby certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party nor an officer, director or employee of, nor attorney for any party, corporate or otherwise, and that on the _____ day of _____, 20_____, I served a true copy of the attached Summons and Application for Emancipation on _____,

The parent/guardian of the your named therein, personally and in person at the following address: _____, at _____ a.m./p.m.

Signature

Date

Printed Names

Phone Number