

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 2754  
**Version:** As introduced

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**Subject:** Emancipation of minors

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### Overview

This bill establishes a court procedure for the emancipation of minors who are over 16 for certain purposes.

#### Section

#### **1 Emancipation of minors.**

**Subd. 1. Application.** Allows a minor who is over 16 to petition the juvenile court for emancipation in the county the minor lives in.

**Subd. 2. Petition.** Provides the required information that must be included in the petition for an emancipation to the court, including basic information about the minor, the minor's parents and legal guardian, any children the minor has and any other court cases where the minor is a party.

#### **2 Emancipation of minors; investigation and hearing.**

**Subd. 1. Investigation; guardian ad litem; appointment of counsel.** Allows the court to appoint a third-party neutral, a guardian ad litem, or counsel in an emancipation case and assign costs to a party related to the appointment.

**Subd. 2. Hearing.** Requires 14 days' notice to all parties before a hearing on the guardianship petition and provides requirements for the court to emancipate a minor, including: that the minor does not object to the emancipation, it is in the minor's best interest under section 260C.511, the minor has a stable housing plan approved by the court, the minor will continue school or has graduated from high school, and the minor has demonstrated an understanding of the emancipation. This section also provides

## **Section**

that a custodial parent must not have raised an objection to the emancipation for the emancipation to be granted, except where domestic violence has occurred between a parent and the child.

### **3 Emancipation of minors; order and effect of emancipation.**

**Subd. 1. Order.** Provides that the court must specifically indicate which rights have been granted to the emancipated minor and that rights not granted will continue to require the approval or action of the minor's parent or legal guardian. This section lists the rights that can be granted to the minor, including: the ability to secure housing, open a bank account, obtain credit, obtain medical care, and enlist in the military. This section also requires the court to indicate that the parents are relieved for certain legal requirements and liabilities.

**Subd. 2. Exceptions.** Provides laws that do not apply to emancipated minors.

**Subd. 3. Review hearing; termination.** Requires the court to review the case of a granted emancipation every six months until the minor child reaches 18 years of age.

### **4 Emancipation of minors; revocation.** Provides that the court can revoke an emancipation if the minor agrees to the revocation or if the requirements necessary to grant the emancipation are no longer met.

### **5 Emancipation of minors, forms; construction with other laws.**

**Subd. 1. Forms.** Requires the state court administrator to create a petition for emancipation form.

**Subd. 2. Construction with other laws.** Provides that the emancipation of minors law does not change any other rights that minors have under other state laws.

### **6 Automatic termination of support.** Allows for the termination of child support when a child is emancipated under the emancipation statute.