

INSTRUCTION SHEET FOR COMPLETION OF FORM 125  
AN EMANCIPATION PETITION

**RESIDENCE:** You must be a resident of the State of Vermont for at least three months in order to petition for emancipation.

**WHERE TO FILE:** The petition is filed in the Probate Court in the county or probate district where you reside at the time you file. The address of the Probate Court is in the telephone book under "Vermont, State of, Courts."

**NAME AND ADDRESS OF PARENTS OR CUSTODIANS:** The law requires that you list the name and address of your parents if known. If the address of your parent(s) is unknown, please attach a separate sheet of paper and explain all the steps you have taken to try to locate a good address. The law requires that notice of the hearing on the emancipation be given to your parents and to any other person or agency who has custody or guardianship of your person. If a petition is pending concerning your custody, such as a petition for delinquency, unmanageability, or neglect in any court, you must list the name of the court and the kind of petition which has been filed.

**REQUIREMENTS FOR EMANCIPATION:** Before the court can make an order of emancipation it must determine that (a) you are at least 16 years old; (b) that you have lived separate from your parents, custodian, or legal guardian for three months or longer; (c) that you are managing your own financial affairs; (d) that you have demonstrated the ability to be self-sufficient in your financial affairs including proof of employment or other support ("Other support" does not include general assistance, ANFC benefits, or relying upon the financial resources of a person who is receiving such assistance or aid; (e) that you either hold a high school diploma or that you are earning a passing grade in an education program approved by the court and directed toward the earning of a high school diploma or it equivalent; (f) that you are not under legal guardianship or in the custody or guardianship of the Commissioner of Social Rehabilitation Services or the Commissioner of Corrections; (g) that your emancipation is in your best interest considering such factors as whether you will be able to assume adult responsibilities, your adjustment to being on your own, the opinion of your parents, custodian or guardian, and whether the emancipation will create a risk of harm to you. You may address these factors in your petition and at the hearing. The criteria for becoming an emancipated minor are located in 12 V.S.A. § 7151(b).

**BURDEN OR PROOF:** The burden is upon you to prove that you are eligible for an Order of Emancipation. If you fail to provide adequate evidence by the conclusion of the hearing (testimony or documentary evidence), the court must deny your petition.

Added June 27, 1996, eff. July 1, 1996; amended Jan. 21, 1997, eff. March 1, 1997

STATE OF VERMONT  
DISTRICT OF \_\_\_\_\_, SS

PROBATE COURT  
DOCKET NO. \_\_\_\_\_

IN RE PETITION FOR EMANCIPATION OF \_\_\_\_\_  
A MINOR, of \_\_\_\_\_

EMANCIPATION PETITION  
15A V.S.A. § 5-101

NOW COMES the undersigned minor petitioner and does represent to the court as follows;

1. My full name is \_\_\_\_\_ and my date of birth is \_\_\_\_\_.  
My place of birth is \_\_\_\_\_.

2. My current address is \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone No. \_\_\_\_\_  
(If the address of your residence is different from your mailing address please give both.)

3. The names and addresses of my parents are:

	(Father)	(Mother)
Name:	_____	_____
Address:	_____	_____
Telephone No.	_____	_____

4. I have lived in the State of Vermont for three months or longer.

5. Legal or physical custody or guardianship of my person has not been awarded to any person, the Commissioner of Correction, or any other person or agency except those listed below (If one, so state).

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone No. \_\_\_\_\_

(If an order of guardianship or order of custody has been given to some person or agency, please attach a copy of the order. If a current legal action is pending concerning your custody or guardianship, please state the court in which the action is pending and the nature of that case.)  
(If an order of guardianship or order of custody has been given to some person or agency, please state the court in which the action is pending and the nature of that case.)

6. The specific facts which support the emancipation criteria (12 V.S.A. § 7151 (b) area as follows:

(a) The minor has demonstrated the ability to be self-sufficient in this or her own financial affairs, including employment or other means of support as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. The emancipation is in my best interests and the specific reasons I have for seeking emancipation are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THEREFORE, I request that the court, after notice to interested persons and hearing, make findings with respect to this petition, and make an order for my emancipation from my parents.

\_\_\_\_\_  
Date

Signed: \_\_\_\_\_  
Minor Petitioner

At \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,  
personally appeared \_\_\_\_\_ and did make oath that the information contained  
in the foregoing petition is true and accurate, according to his/her best knowledge, information and belief.

Before me: \_\_\_\_\_  
Notary Public/Judge/Register