

HOW TO FILE YOUR REMOVAL OF DISABILITY OF MINORITY/EMANCIPATION CASE IN MISSISSIPPI

PLEASE READ THESE CAREFULLY. IF YOU DO NOT FOLLOW THESE INSTRUCTIONS, YOUR EMANCIPATION CASE MAY NOT BE HEARD IN COURT

You will need to file the following documents with the Chancery Clerk's Office in the county where you reside:

- A Civil Coversheet
- A Petition to Remove Disability of Minority
- Joinder of Mother
- Joinder of Father
- An Order to Remove Disability of Minority

If you have all of the above documents, here are the steps you will need to take to get your emancipation case finalized:

1. You **must** sign the *Petition to Remove Disability of Minority* before a notary public. Your mother and father **must** also sign the *Joinder of Mother* and *Joinder of Father* before a notary public. If your parents (adoptive or biological) refuse to sign either document, it is very likely you will not become emancipated. In most Mississippi counties, you have to have the consent of both parents in order to become emancipation.
2. You will need to take the *Civil Coversheet*, the signed and notarized *Petition to Remove Disability of Minority* and *Joinder of Mother* and *Joinder of Father* and a **check, cash or money order for the filing fee** to the Chancery Court in the filing fee where you are filing for emancipation. The amount of the filing fee will depend the county where you are filing, so call the Chancery Clerk's office in advance to find out the correct amount. It should be less than \$100.00.
3. Give all of the above documents—except the *Order to Remove Disability of Minority*—to the Chancery Clerk and ask him/her to file your emancipation petition. Also, **ask for copies** of the *Petition to Remove Disability of Minority*, *Joinder of Mother* and *Joinder of Father* so you will have a case number and verification of the date of the filing.
4. Ask the Chancery Clerk for a date for your emancipation hearing. You will not be able to have your hearing on a weekend, legal holiday or any other day the courthouse is closed.
5. Before you leave the Chancery Clerk's office, be sure to **write down the date of your emancipation hearing** and the telephone number to the clerk's office. Mark the date on your calendar as soon as possible. **Remember, until the judge signs the Order to Remove Disability of Minority, you have not been emancipated and cannot sign a lease or enter into any other contract without the permission of your parent or guardian.**
6. If you have followed all of the above instructions and the judge does not sign your *Order to Remove Disability of Minority*, ask him/her why your emancipation cannot be granted, and call the Mississippi Volunteer Lawyers Project (MVLP) at 601-960-9577, Mission First Legal Aid Office at 601-608-0058 or the Mississippi Legal Services Programs at 1-800-498-1804 to

explain your situation. These organizations may be able to help you resolve the issue or problem.

7. Once the judge has signed your *Order to Remove Disability of Minority*, the Chancery Clerk will file the original *Order*, but you should ask him/her to make you at least two copies. There may be a small charge for making the copies.