

The person who starts the process must file (or have a lawyer file) a "Petition for Emancipation" form (# JD-JM) with the court. If you need a lawyer to start this process or to defend yourself and you cannot afford one, the juvenile court or probate court may appoint one for you at no charge.

Fool Me Once! The church should really be afraid of people like me. You know! those people that show up to church even on a camping trip. The ones that care so much about the gospel that they read everything they can get their hands on. The ones that take notes in sacrament and review them later. The ones that read scriptures regularly and can quote them back at you from the top of their head. The ones that listen to all 12 hours of General Conference including relief society and priesthood sessions and again, stay awake and take notes for every. The ones that had memorized all of the wording in the temple not once, but twice when it changed. The ones that have libraries full of books written by present and past leaders and have read them all! twice! The ones that talk about church on a thoughtful level and debate the meaning of things around the dinner table with their spouse. The ones that really try to ponder the meaning behind things. The ones that were committed to not only saying they believed, but actually wanted to show they believed with their actions. The ones that paid homage to God with more than just their lips Matthew The ones who took this religion as seriously as life and death. Because we hear you. We see you when you change. We notice when you shift. And when we see the contradiction! when we finally wake up and see even one lie! we no longer trust you. And we will move heaven and Earth to get to the bottom of your deception. We are too attuned to your words. We see through the platitudes. We see through the double speak. And nothing short of complete vulnerability would even entice us to listen again. So carry on, Mormon church. I will be long free of your shackles when you finally figure that one out. All of this! the caliber of disciples that would someday read their words! how seriously we would think about them! This is what the church forgot to take into account when they wrote the Gospel Topic Essays. By the beginning of January, I had just spent my holiday season scouring through our home library. I had watched the entire Truman G. Madsen series on the Prophet Joseph Smith.. Was it possible with so many people? As a student of history, I found it fascinating that so many willingly followed him without any kind of coercion. No society that I had ever read about ever worked in that way. So! what had actually happened? Someone had mentioned them in passing a year previously. Or you can go to www. As in more than one? As in how in the heck did I never know this? I clicked on it and read every word. And I sat there digesting every word. Here are a few phrases that left my jaw on the ground: The first of these, known today as Joseph Smith's "History, was canonized in the Pearl of Great Price and thus became the best known account. Since that time, these documents have been discussed repeatedly in Church magazines, in works printed by Church-owned and Church-affiliated presses, and by Latter-day Saint scholars in other venues. I read that phrase over and over. Not in any Ensign article I read and I read as many as I could get my hands on. Not in any General Conference address. Not in any church manual I had been a teacher at all levels for 20 years in the church: I knew what I was teaching before I ever showed up for the class. That phrase smacked of falsehood. I had been a diligent member and had never heard anything about multiple accounts. So, I did what most women in the church do, I asked my husband. Maybe this was something the men found out on their missions. Had he ever heard about these repeatedly discussed multiple accounts? Was I some in-the-dark moron that was parading around as a thoughtful disciple? This is why he gets all of the kisses. Historians expect that when an individual retells an experience in multiple settings to different audiences over many years, each account will emphasize various aspects of the experience and contain unique details. Yet despite the differences, a basic consistency remains across all the accounts of the First Vision. Some have mistakenly argued that any variation in the retelling of the story is evidence of fabrication. To the contrary, the rich historical record enables us to learn more about this remarkable event than we could if it were less well documented. First, there were several accounts, not just one! and they differed from each other. Second, there was at least enough skepticism to make the writers emphasize that the accounts were basically consistent, even if the details were different. And third, they were trying to discredit those who had a different

opinionâ€”those who saw the differences as enough of a problem to call the whole thing a fabrication. There were two camps. I would never know which camp I belonged to without reading for myself the original accounts. So, palms sweating, I hopped right in and read them! So, you would expect all of the details and all of the truths. This is for posterity, after allâ€”and yet, this is what we get. Second, he is 16 years old. Fourth, he tells people and no one would believe his heavenly vision. He was recounting the First Vision to Robert Matthews. A pillar of fire appears with a heavenly personage. Then another personage appears. His sins are forgiven and they testify that Jesus Christ is the son of God. This part really got to me. And I thought the words of God were plain and simple. Silly little old me! Many angels appeared in this vision too. I had a serious faith issue happen to me when I was in my teens. Not nearly as cool. When I had my spiritual moment of clarity, it was forever burned in my mind. I remember the room. The way it smelled. I remember what color pencil I was writing with to mark my scriptures. I remember the sounds in the house. And I remember it was in November, Okâ€”rant overâ€” account: He tells a Methodist preacher who treats the story with contempt. Aside from these accounts, we have several second-hand accounts where the main characters differ wildly from a host of angels, to two angels, to just one angel. Sometimes sins are just forgiven. I call some stinky, stinky BS! I have taught the First Vision to all ages and all audiences in my 38 years of life just a couple years longer than Joseph Smith had to teach it to others. I have taught it to 5 year olds and 45 year olds and 85 year olds. It was always God the Father and Jesus Christ. So, he went to the source of all truth who told him none of them were right because they had all gone astray since Christ had been taken from the Earth. We needed a restoration of all things. And Joseph Smith was who God called to restore those things. It was run of the mill. What makes the first vision special is the main idea. If you leave that out, it changes the whole story. That faith issue I was telling you about above? I knew it would be important to me.

Chapter 2 : Emancipation of a Molly Mormon

Emancipation from your family can be a touchy subject. Many young people who wonder how to get emancipated don't actually go through the process. But for those with legitimate reasons and the means to make it on their own, it's an important option.

Slave states and free states Abraham Lincoln The United States Constitution of did not use the word "slavery" but included several provisions about unfree persons. Article I, Section 9 allowed Congress to pass legislation to outlaw the "Importation of Persons", but not until Maryland did not abolish slavery until , [16] and Delaware was one of the last states to hold onto slavery; it was still legal in Delaware when the thirteenth amendment was issued. Missouri , Kentucky , Maryland and Delaware , and so those states were not named in the Proclamation. Coverage[edit] The Proclamation applied in the ten states that were still in rebellion in , and thus did not cover the nearly , slaves in the slave-holding border states Missouri, Kentucky, Maryland or Delaware which were Union states. Those slaves were freed by later separate state and federal actions. The state of Tennessee had already mostly returned to Union control, under a recognized Union government, so it was not named and was exempted. Virginia was named, but exemptions were specified for the 48 counties then in the process of forming the new state of West Virginia , and seven additional counties and two cities in the Union-controlled Tidewater region. These exemptions left unemancipated an additional , slaves. This act cleared up the issue of contraband slaves. Some 20, to 50, slaves were freed the day it went into effect [28] in parts of nine of the ten states to which it applied Texas being the exception. The Proclamation provided the legal framework for the emancipation of nearly all four million slaves as the Union armies advanced, and committed the Union to ending slavery, which was a controversial decision even in the North. Hearing of the Proclamation, more slaves quickly escaped to Union lines as the Army units moved South. As the Union armies advanced through the Confederacy, thousands of slaves were freed each day until nearly all approximately 3. While the Proclamation had freed most slaves as a war measure, it had not made slavery illegal. Of the states that were exempted from the Proclamation, Maryland, [31] Missouri, [32] Tennessee, [33] and West Virginia [34] prohibited slavery before the war ended. In , President Lincoln proposed a moderate plan for the Reconstruction of the captured Confederate State of Louisiana. The state was also required to abolish slavery in its new constitution. Identical Reconstruction plans would be adopted in Arkansas and Tennessee. By December , the Lincoln plan abolishing slavery had been enacted in Louisiana. Background[edit] Military action prior to emancipation[edit] The Fugitive Slave Act of required individuals to return runaway slaves to their owners. During the war, Union generals such as Benjamin Butler declared that slaves in occupied areas were contraband of war and accordingly refused to return them. As a result, he did not promote the contraband designation. In addition, as contraband, these people were legally designated as "property" when they crossed Union lines and their ultimate status was uncertain. In December , Lincoln sent his first annual message to Congress the State of the Union Address , but then typically given in writing and not referred to as such. In it he praised the free labor system, as respecting human rights over property rights; he endorsed legislation to address the status of contraband slaves and slaves in loyal states, possibly through buying their freedom with federal taxes, and also the funding of strictly voluntary colonization efforts. On March 13, , Congress approved a "Law Enacting an Additional Article of War", which stated that from that point onward it was forbidden for Union Army officers to return fugitive slaves to their owners. Slaves in the District of Columbia were freed on April 16, , and their owners were compensated. On June 19, , Congress prohibited slavery in all current and future United States territories though not in the states , and President Lincoln quickly signed the legislation. Douglas as a solution to the slavery controversy, while completing the effort first legislatively proposed by Thomas Jefferson in to confine slavery within the borders of existing states. Public opinion of emancipation[edit] Medical examination photo of Gordon , widely distributed by Abolitionists to expose the brutality of slavery "Lincoln Speaks to Freedmen on the Steps of the Capital at Richmond" Abolitionists had long been urging Lincoln to free all slaves. In the summer of , Republican editor Horace Greeley of the highly influential New York Tribune wrote a famous editorial entitled "The Prayer of

Twenty Millions" demanding a more aggressive attack on the Confederacy and faster emancipation of the slaves: President, there is not one If there be those who would not save the Union, unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave I would do it, and if I could save it by freeing all the slaves I would do it; and if I could save it by freeing some and leaving others alone I would also do that. What I do about slavery, and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union I have here stated my purpose according to my view of official duty; and I intend no modification of my oft-expressed personal wish that all men everywhere could be free. Therefore, this letter, was in truth, an attempt to position the impending announcement in terms of saving the Union, not freeing slaves as a humanitarian gesture. Rather, Lincoln was softening the strong Northern white supremacist opposition to his imminent emancipation by tying it to the cause of the Union. This opposition would fight for the Union but not to end slavery, so Lincoln gave them the means and motivation to do both, at the same time. Since slavery was protected by the Constitution, the only way that he could free the slaves was as a tactic of war—not as the mission itself. Late in , Lincoln asked his Attorney General, Edward Bates , for an opinion as to whether slaves freed through a war-related proclamation of emancipation could be re-enslaved once the war was over. Bates had to work through the language of the Dred Scott decision to arrive at an answer, but he finally concluded that they could indeed remain free. Still, a complete end to slavery would require a constitutional amendment. Thomas Nast , a cartoon artist during the Civil War and the late s considered "Father of the American Cartoon", composed many works including a two-sided spread that showed the transition from slavery into civilization after President Lincoln signed the Proclamation. Nast believed in equal opportunity and equality for all people, including enslaved Africans or free blacks. A delegation headed by William W. Patton met the president at the White House on September Lincoln had declared in peacetime that he had no constitutional authority to free the slaves. Even used as a war power, emancipation was a risky political act. Public opinion as a whole was against it. Delaware and Maryland already had a high percentage of free blacks: Lincoln first discussed the proclamation with his cabinet in July Seward and Welles were at first speechless, then Seward referred to possible anarchy throughout the South and resulting foreign intervention; Welles apparently said nothing. On July 22, Lincoln presented it to his entire cabinet as something he had determined to do and he asked their opinion on wording. McPherson , Lincoln told Cabinet members that he had made a covenant with God, that if the Union drove the Confederacy out of Maryland, he would issue the Emancipation Proclamation. The final proclamation was issued January 1, Although implicitly granted authority by Congress, Lincoln used his powers as Commander-in-Chief of the Army and Navy, "as a necessary war measure" as the basis of the proclamation, rather than the equivalent of a statute enacted by Congress or a constitutional amendment. They chose to disregard it, and I made the peremptory proclamation on what appeared to me to be a military necessity. And being made, it must stand. Most slaves were still behind Confederate lines or in exempted Union-occupied areas. Secretary of State William H. Seward commented, "We show our sympathy with slavery by emancipating slaves where we cannot reach them and holding them in bondage where we can set them free. The Proclamation only gave the Lincoln Administration the legal basis to free the slaves in the areas of the South that were still in rebellion on January 1, It effectively destroyed slavery as the Union armies advanced south and conquered the entire Confederacy. The Emancipation Proclamation also allowed for the enrollment of freed slaves into the United States military. During the war nearly , blacks, most of them ex-slaves, joined the Union Army. The Confederacy did not allow slaves in their army as soldiers until the last month before its defeat. Slaves in the border states of Maryland and Missouri were also emancipated by separate state action before the Civil War ended. In Maryland, a new state constitution abolishing slavery in the state went into effect on November 1, The Union-occupied counties of eastern Virginia and parishes of Louisiana, which had been exempted from the Proclamation, both adopted state constitutions that abolished slavery in April Slave and free states Areas covered by the Emancipation Proclamation are in red. Slave holding areas not covered are in blue. The

Proclamation was issued in two parts. The first part, issued on September 22, 1862, was a preliminary announcement outlining the intent of the second part, which officially went into effect days later on January 1, 1863, during the second year of the Civil War. Also not named was the state of Tennessee, in which a Union-controlled military government had already been set up, based in the capital, Nashville. Specific exemptions were stated for areas also under Union control on January 1, 1863, namely 48 counties that would soon become West Virginia, seven other named counties of Virginia including Berkeley and Hampshire counties, which were soon added to West Virginia, New Orleans and 13 named parishes nearby. Union-occupied areas of the Confederate states where the proclamation was put into immediate effect by local commanders included Winchester, Virginia, [73] Corinth, Mississippi, [74] the Sea Islands along the coasts of the Carolinas and Georgia, [75] Key West, Florida, [76] and Port Royal, South Carolina. Estimates of how many thousands of slaves were freed immediately by the Emancipation Proclamation are varied. Those 20, slaves were freed immediately by the Emancipation Proclamation. Slaves fled their masters and were often assisted by Union soldiers. Washington, as a boy of 9 in Virginia, remembered the day in early

Chapter 3 : Welcome to calendrierdelascience.com

Emancipation of Minors It seems like every child wonders when he or she can be treated like an adult. The answer usually varies depending on whether they are asking their parents or the legal system.

FAQ Emancipation of Minors All states have laws dealing with the "emancipation" of minors; that is, laws that specify when and under what conditions children become independent of their parents for important legal purposes. A complete reference to statutory provisions for all 50 states, pertaining to termination of parental rights, age of majority or emancipation itself, can be found in the LII State Law pages. Approximately half of the states regulate emancipation by statutes specifically designed for that purpose. These statutes may specify the conditions required or the procedures for seeking emancipation. Statutes vary considerably from state to state, but under common law most states allow for the possibility of court-reviewed emancipation. No fixed age of emancipation exists, yet a minor is presumed to become emancipated upon reaching the age of majority. In most states, the age of majority is 18. Emancipation on the basis of judicial decree requires a petition. The petitioner is typically one of three kinds of legal personage: Most states require that adults petition the court, although emancipation is a right extended to children. In most instances, a petitioner must file a petition for emancipation with a county or a probate court, as these courts have jurisdiction over matters concerning juveniles and children. A petition of emancipation must be accompanied by evidence of surrounding circumstances and conduct demonstrated by parents, minors, or both, that contradicts and invalidates the common legal understanding that exists with regard to the rights and responsibilities of parents to children and vice-versa. Whether a minor has been emancipated is a question of fact which must be proved to the satisfaction of the court. Direct proof in the form of a recorded act or manifested by a formal technique is not required. However, clear evidence of circumstances and conduct betraying parental right and responsibility for care of a child must be established before the court will convey emancipated status upon a minor. In most emancipation cases that come before the court, emancipation is implied from evidence of circumstances and conduct that negatively affirm the fundamental relationship that both law and society recognize as existing between parents and children. Desertion, abandonment, non-support and other censurable conduct on the part of the parent constitute reasonable circumstances for implied emancipation of a minor child. Marriage or enlistment in military service by a minor brings about a new relationship of obligation and responsibility between the child and a third party that transforms the status of the child, obviates parent-child relations, and thereby effects an implied emancipation. Separate residence or departure from the parental home is not in and of itself a sufficient circumstance denoting implied emancipation. The court, ever wary of absolutely severing the common law relationship between parents and children, sometimes grants emancipation for particular legal purposes while withholding it for others. A third form, express emancipation, exists as a legal possibility yet is rarely decided by the court. An express emancipation takes place when a parent agrees with its child that the child may leave home and collect its wages and control its assets. Last Updated in June by Tala Esmaili.

Chapter 4 : Emancipation | Definition of Emancipation by Merriam-Webster

Emancipation of minors is a legal mechanism by which a minor is freed from control by their parents or guardians, and the parents or guardians are freed from any and all responsibility toward the child.

Visit Website Did you know? When it took effect in January , the Emancipation Proclamation freed 3. And how did he get from his pledge not to interfere with slavery to a decision a year later to issue an emancipation proclamation? The answers lie in the Constitution and in the course of the Civil War. As an individual, Lincoln hated slavery. As commander in chief of the armed forces in the Civil War, Lincoln also worried about the support of the four border slave states and the Northern Democrats. These groups probably would have turned against the war for the Union if the Republicans had made a move against slavery in . If it restrained him from alienating proslavery Unionists, it also empowered him to seize enemy property used to wage war against the United States. Slaves were the most conspicuous and valuable such property. They raised food and fiber for the Southern war effort, worked in munitions factories, and served as teamsters and laborers in the army. Benjamin Butler, commander of Union forces occupying a foothold in Virginia at Fortress Monroe on the mouth of the James River, provided a legal rationale for the seizure of slave property. By the trickle had become a flood. Some Union commanders gave them shelter and protection; others returned them to masters who could prove their loyalty to the United States. In March Congress enacted a new article of war forbidding army officers to return fugitive slaves to their masters. Before the war was a year old, therefore, the slaves themselves had taken the initiative that forced Northern authorities to move toward making it a war for freedom. By the summer of , however, it was clear that he risked alienating the Republican half of his constituency if he did not act against slavery. Moreover, the war was going badly for the Union. After a string of military victories in the early months of , Northern armies suffered demoralizing reverses in July and August. The argument that emancipation was a military necessity became increasingly persuasive. It would weaken the Confederacy and correspondingly strengthen the Union by siphoning off part of the Southern labor force and adding this manpower to the Northern side. In July Congress enacted two laws based on this premise: By this time Lincoln had decided on an even more dramatic measure: We must free the slaves or be ourselves subdued. The Administration must set an example, and strike at the heart of the rebellion. Seward persuaded Lincoln to withhold the proclamation until a major Union military victory could give it added force. Lincoln used the delay to help prepare conservative opinion for what was coming. Lincoln had already decided to free some and was in effect forewarning potential opponents of the Emancipation Proclamation that they must accept it as a necessary measure to save the Union. In a publicized meeting with black residents of Washington , also in , Lincoln urged them to consider emigrating abroad to escape the prejudice they encountered and to help persuade conservatives that the much-feared racial consequences of emancipation might be thereby mitigated. Lincoln had tried earlier to persuade the border states to accept gradual emancipation, with compensation to slave owners from the federal government, but they had refused. Emancipation would vastly increase the stakes of the war. The Thirteenth Amendment Meanwhile Lincoln and the Republican party recognized that the Emancipation Proclamation, as a war measure, might have no constitutional validity once the war was over. The legal framework of slavery would still exist in the former Confederate states as well as in the Union slave states that had been exempted from the proclamation. So the party committed itself to a constitutional amendment to abolish slavery. The overwhelmingly Republican Senate passed the Thirteenth Amendment by more than the necessary two-thirds majority on April 8, But not until January 31, , did enough Democrats in the House abstain or vote for the amendment to pass it by a bare two-thirds. Eric Foner and John A. The groundbreaking series reimaged.

Chapter 5 : The Emancipation of Mimi - Mariah Carey | Songs, Reviews, Credits | AllMusic

With the Emancipation Proclamation, the aim of the war changed to include the freeing of slaves in addition to preserving the Union. Although the Proclamation initially freed only the slaves in the rebellious states, by the end of the war the Proclamation had influenced and prepared citizens to advocate and accept abolition for all slaves in.

Constitution, ratified December Although Lincoln had announced the Emancipation Proclamation two years earlier, freedom did not come for most African Americans until Union victory in April and, officially, in December with the ratification of the 13th Amendment to the Constitution. Since the arrival in of the first Africans in Jamestown, years had elapsed. Palmer reminds us, "but a long time for the successive generations of black people who lived as chattel. For many slaves the notification of emancipation, often from their slaveholders or Yankee soldiers, occurred as a footnote to the immediate tumult of war and the demands of two questionsâ€”What now? Addressing these questions would cement the reality of freedom with its peril and promise. Just like that, we was free. How did they interpret freedom? How did they answer "What now? Living in Maryland, she probably knew of the Emancipation Proclamation and of Union victories in the South. What is the tone of her query? Colored Troops in May , Sgt. Hatton witnessed an astounding reversal of historyâ€”"the slave can now apply the lash to the tender flesh of his master. Hatton describes their retaliation in a letter to the Christian Recorder, the publication of the African Methodist Episcopal Church, and urges Confederates to heed the warning: The petition is representative of numerous calls for racial harmony and equality delivered by African Americans across the South in and Compare it with similar petitions see Supplemental Links. Buying Freedom and Civil War I: Discussion questions How did enslaved African Americans anticipate emancipation in the last months of the Civil War? What opportunities and dangersâ€”promise and perilâ€”did freedom present? Hatton describe the whipping of a Union-captured slaveholder by newly freed slaves? How does he respond to witnessing the event? What warning does he add for white southerners? Compare the petition to similar documents from the civil rights movement of the s and s. On the WPA narratives: In general, how did enslaved African Americans respond to being emancipated? How did they learn they were free? What factors influenced their responses and subsequent decisions? How did slaveholders respond to the emancipation of their slaves? This cycle of questions is worth the insight you may gain about the tumultuous year of What impressions do the former slaves recount of the "Yankees"? In what ways did newly freed slaves understand the concept of "freedom"? What promise, challenge, and mystery did "freedom" offer? What misconceptions about emancipation, and freedom, are expressed in the WPA narratives? In the months after emancipation, how did freed slaves learn what freedom meant for their own lives? Create two-person dialogues between WPA interviewees who responded differently to emancipation, e. Write an overview of the emancipation experience based on these documents. Begin with one of these statements from the WPA narratives. I begins to think and to know things. And I know then I could make a living for my own self, and I never had to be a slave no more. What were their principal characteristics?

Emancipation Day is a holiday in Washington DC to mark the anniversary of the signing of the Compensated Emancipation Act, which president Abraham Lincoln signed on April 16, It is annually held on April

His views became clear during an series of debates with his opponent in the Illinois race for U. What he did believe was that, like all men, blacks had the right to improve their condition in society and to enjoy the fruits of their labor. In this way they were equal to white men, and for this reason slavery was inherently unjust. In the last speech of his life, delivered on April 11, , he argued for limited black suffrage, saying that any black man who had served the Union during the Civil War should have the right to vote. Lincoln thought colonization could resolve the issue of slavery. For much of his career, Lincoln believed that colonization— or the idea that a majority of the African-American population should leave the United States and settle in Africa or Central America— was the best way to confront the problem of slavery. His two great political heroes, Henry Clay and Thomas Jefferson, had both favored colonization; both were slave owners who took issue with aspects of slavery but saw no way that blacks and whites could live together peaceably. Nearly a decade later, even as he edited the draft of the preliminary Emancipation Proclamation in August of , Lincoln hosted a delegation of freed slaves at the White House in the hopes of getting their support on a plan for colonization in Central America. After he issued the preliminary Emancipation Proclamation, Lincoln never again publicly mentioned colonization, and a mention of it in an earlier draft was deleted by the time the final proclamation was issued in January. Emancipation was a military policy. Emancipation, when it came, would have to be gradual, and the important thing to do was to prevent the Southern rebellion from severing the Union permanently in two. Emancipation, Lincoln saw, would further undermine the Confederacy while providing the Union with a new source of manpower to crush the rebellion. In July the president presented his draft of the preliminary Emancipation Proclamation to his cabinet. Secretary of State William Seward urged him to wait until things were going better for the Union on the field of battle, or emancipation might look like the last gasp of a nation on the brink of defeat. Lincoln agreed and returned to edit the draft over the summer. On September 17 the bloody Battle of Antietam gave Lincoln the opportunity he needed. He issued the preliminary proclamation to his cabinet on September 22, and it was published the following day. As a cheering crowd gathered at the White House, Lincoln addressed them from a balcony: Lincoln also exempted selected areas of the Confederacy that had already come under Union control in hopes of gaining the loyalty of whites in those states. Start your free trial today. We strive for accuracy and fairness. Twice a week we compile our most fascinating features and deliver them straight to you.

Chapter 7 : Emancipation Proclamation - HISTORY

During the American Civil War, President Abraham Lincoln issues the Emancipation Proclamation, calling on the Union army to liberate all slaves in states still in rebellion as "an act of justice."

History[edit] In Roman law the father of the extended household, the pater familias , exercised autocratic authority through patria potestas over his extended family, including his wife, his children and his slaves. Such rights persisted through feudal and English common law , assigning most people the status of personal property chattel. In common law, emancipation is the freeing of someone from this control. It grants the emancipated the ability to legally engage in civil actions, and frees the former owner of liability. In common-law jurisdictions, chattel slavery was abolished during the 19th century and married women were given independent rights during the 19th and at the start of the 20th century. In these jurisdictions, the rights of minors to act on their own behalf are granted on a case-by-case basis if a minor can show the capacity and maturity to handle them, and juvenile emancipation from control is deemed unnecessary. For example, in the US minors have some rights to consent to medical procedures without parental consent or emancipation, under the doctrine of the mature minor. In England a minor may still not own and administer land. The rights of the child described in the UN Convention on the Rights of the Child are recognized and ratified the world over, except within the USA , which may explain why even though other jurisdictions recognize parental control and juvenile emancipation, nowhere else is the issue of emancipation so important. Global understanding of emancipation[edit] Common law countries that retain the idea of control and emancipation include USA, Canada and South Africa. Countries that have followed the route to gradual civic rights for adolescents include England, Ireland, Australia and New Zealand. In these countries emancipation is unavailable. Statutory provision for juvenile emancipation has spread outside of common law jurisdictions, for example Brazil. The right to engage in civil acts as an adult are granted after marriage, as is the freedom of liability for the parent. When the parent s or legal guardian agrees with the minor that the minor can leave home, become self-sustaining, and control their own wages and assets. For example, elements of coercion can void the emancipation, so if a child agrees to leave because their life has been made intolerable through fault, the court may decree the parents still owe a duty of support. When circumstances dictate that a child has become emancipated, even though no explicit agreement was made. Common reasons include Marriage Active military service The minor leaving home and acting in a responsible and self-sustaining manner for a number of months. Reaching a de facto state of separation without explicit agreement has dangers: Other reasons may be given by statutory definition or through case law. A court may declare a minor to be emancipated when deciding a relevant case or following a petition of emancipation. Not all jurisdictions that support emancipation allow a direct petition to the courts, for example in Canada only Quebec [8] does. Even in those jurisdictions that do, the court may not allow a minor to file on their own behalf as they are not yet emancipated , nor may they directly instruct a lawyer to act on their behalf. Instead they petition through an adult next friend. A minor may be considered emancipated for some reasons and not others. A grant of partial emancipation may, for example, be given to homeless youths to allow them to consent to state housing programs. United States[edit] Minors are under the control of their parents or legal guardians until they attain the age of majority , at which point they become legal adults. In most states this is upon turning 18 years of age. However, in special circumstances, minors can be freed from control by their guardian before they reach the age of majority. When the "parent" is not the biological parent of the child, such as a stepchild or an informal adoption not adopted by court order , the matter is more complex; various legal doctrines, as well as statutes in many states may impose various support obligations on step-parents. Emancipation terminates these parental obligations and duties of support. While parents may have expectations of particular conduct or contributions from their children, parents may not condition the provision of basic necessities upon the child conducting or contributing. However they may condition other privileges on particular conduct or contribution by the child. When a child fails to conduct themselves according to rules which ensure their basic safety and the safety of those around them, a parent has recourse to petition a court to declare the child a "person in need

of supervision", which essentially transfers guardianship to the state, who in turn subjects the individual to supervision in the form of a group home or in foster care monitored by an officer of the court. Children who have not reached the age of majority are generally are not able to legally own property, enter into contracts including enrolment contracts to university , or make certain life altering decisions for themselves, such as the right to marry or to join the armed forces. Such decisions can, in some cases, be made with parental consent e. A legal guardian including a parent may dispose of the property including bank accounts of the child, generally for the benefit of the child, including the provision of basic necessities. They would also gain legal capacity to enter into binding contracts, and have authority to marry or join the armed forces. In most states, minors must file a petition with the family court in the applicable jurisdiction, formally requesting emancipation and citing reasons it is in their best interest to be emancipated. These minors must prove financial self-sufficiency. In some states, free legal aid is available to minors seeking emancipation, through children law centers. This can be a valuable resource for minors trying to create a convincing emancipation petition. Students are able to stay with a guardian if necessary. Emancipation is not easily granted because of the subjectivity and narrowness of the definition of "best interest. Laws vary by state. Based on federal and state laws, those whose mental disability is so severe that they are incapable of caring for themselves may not necessarily be considered or legally viewed as emancipated, even though they have attained the age of majority. That may or may not affect legal matters related to such things as insurance benefits, SSI, SSDI, wills, tax obligations to them and their caregivers , medical decisions, religious choices, residential and other accommodations, etc.

Chapter 8 : Emancipation Proclamation - Wikipedia

The Proclamation provided the legal framework for the emancipation of nearly all four million slaves as the Union armies advanced, and committed the Union to ending slavery, which was a controversial decision even in the North.

Emancipation can be an important legal tool for certain teenagers, but you should give it careful thought before moving ahead. Who can be emancipated? To be emancipated by the court under Connecticut law, you must be at least 16 years old. You must also meet one of the following conditions: You must be married, or You must be in the U. How do you become emancipated? Either you or your parents can start the emancipation process. The person who starts the process must file or have a lawyer file a " Petition for Emancipation " form JD-JM with the court. If you need a lawyer to start this process or to defend yourself and you cannot afford one, the juvenile court or probate court may appoint one for you at no charge. There will be a meeting or hearing in front of a judge to talk about the emancipation petition. Only the judge can order the emancipation. What rights does an emancipated teenager have? When you become emancipated, you have legal rights that other teenagers do not have. You also have new responsibilities that most teenagers do not have to worry about. You should weigh these rights and responsibilities carefully as you think about emancipation. If you are emancipated: You may get your own place to live--but you will be responsible for paying the rent and any other costs. You can sign contracts in your own name and are responsible for living up to the contract. You can sue other people, and you can also be sued by others. You are no longer under the control of your parents -- but they will also have no obligation to support you financially, or give you any food, clothing, or shelter. The State of Connecticut Department of Children and Families will no longer be responsible for helping you if you are abused or neglected. You are, however, entitled to the same protection by the police as any other person, including the right to be protected from violence by a family or household member. You may buy and sell property. You may enroll in a school or college of your choice without asking your parents. How can you decide? Here are some things you might want to think about in deciding whether you really need to be emancipated. Emancipation is a major decision that can help a mature teenager who is getting little help from his or her parents to live a more independent life. But emancipation can also cause hard feelings within a family. It is sometimes possible for a teenager to get the relief and help that he or she needs without taking this step. If you need some relief from family problems, you might be able to stay with a friend or in a youth shelter for awhile. Or, you may want to talk to a trusted counselor or teacher. If your parents made you leave home or they will not let you return, or if it would be dangerous for you to return, you may be eligible for financial help even if you are not emancipated. What you apply for depends on your situation: Your relative must receive the check for you. Also, you will be sent to the DSS social worker for further help. The Department of Children and Families may be asked to help as well. If you are pregnant or have your child living with you and you live with an adult who is not a relative, you will qualify for TFA assistance only if that adult is your legal guardian or applying for legal guardianship. You may also be eligible if you live in a supervised living arrangement, such as a group home. Only in very rare cases can a pregnant or parenting teen live on her own and get a TFA check herself. If you are not pregnant and do not have a child living with you, and you are living with a relative, you may also be eligible for TFA. Again, your relative must receive the check for you. Unemancipated minors who do not live with relatives and who do not live with other adults who are either their legal guardians, or trying to be legal guardians, are probably not eligible for any cash assistance. Many teenagers in these situations are eligible for HUSKY medical insurance and food stamps, even if they do not qualify for cash assistance. How will your parents react? Even when you are having trouble with your parents, they may be concerned about you and want to help you. Going to court to be emancipated may be very hurtful to your parents. You should think about the effect of emancipation on you and your family. If possible, sit down and discuss the problems with them before you file the petition. Sometimes it may not be possible to talk with your parents. You may have already left home. If you are not living at home, your parent could ask the police to find you. If the police find you, they can tell your parent where you are. The police could also hold you for up to 12 hours while they decide what would be the best step to take.

Finally the police can also report you to the Juvenile Court. If the judge decides you are or have done one of these things, you might be ordered to go to school, get a job, get counseling, or give up driving a car for a while. Can you support yourself? Once you are emancipated, your parents no longer have to pay your bills. You will be responsible for rent, buying food, for medical bills, and buying clothing. If you have a baby, you will have to pay for the things the child needs. Until you turn 18 years old, you will nearly always be required to live with an adult to receive financial assistance from the government. Even if you qualify for financial assistance, the money you get may not be enough to pay bills. If you have a job, think about whether your paycheck will cover all your costs. Will you want to go back to your family? Emancipation usually cannot be undone. Think carefully about whether you may want to go back to your family at some point, or whether you are really sure that you want to live on your own from now on. Are your problems with your family just temporary or do you want to make a permanent break with your parents? Once you are emancipated, your parents could still decide to take you back. You may find it helpful to talk privately with a lawyer about emancipation. Where to get help:

Chapter 9 : Emancipation of minors - Wikipedia

Emancipation is a legal way for children to become adults before they are. Once a child is emancipated, his or her parents do not have custody or control of him or her anymore.

Once a child is emancipated, his or her parents do not have custody or control of him or her anymore. Emancipation is usually forever. But the court can cancel the emancipation if the minor asking for the emancipation lies to the court or is no longer able to support himself or herself. Get medical care; Apply for a work permit; Sign up for school or college; and Live where you want to. If you are emancipated, you will give up the right to be supported by your parents. Even if you are emancipated: If you have a legal guardian, all of the information in this section about parents applies to your legal guardian and your case, too. There are 3 ways to get emancipated: Get married You will need permission from your parents and the court. Join the armed forces You need permission from your parents, and the armed forces must accept you. Get a declaration of emancipation from a judge To get a declaration of emancipation, you have to prove ALL of these things: You are at least 14 years old. You do not want to live with your parents. Your parents do not mind if you move out. You can handle your own money. You have a legal way to make money. Emancipation would be good for you. If you do not want to live with your parents, you do not necessarily have to get emancipated. Get counseling or mediation with your parents; Go to live with another adult like an aunt, uncle, grandparent, or family friend ; Get help from public or private agencies; or Make an agreement with your parents to live somewhere else. This manual has a lot of answers about emancipation for teenagers.