Information on Filing for Emancipation in the 20th Circuit Court – Family Division Provided by: Ottawa County Legal Self-Help Center

All emancipations are filed electronically

This packet is intended to assist the public with filing an emancipation petition. The filing fee for the petition is $175. Please read all the information contained in this packet, including the Michigan Compiled Laws referenced in item #8 of the Petition for Emancipation, Affidavit, and Waiver of Notice to ensure the attached forms are filled out properly. If you require assistance in filling out forms or have legal questions, you may need to consult an attorney. **Please note**: the clerks are prohibited by law from giving legal advice.

FORMS IN THIS PACKET:
*Note: current versions of SCAO forms are required. The current version can be verified at https://www.courts.michigan.gov/SCAO-forms/ by searching for the form number.

- Form PC 100: PETITION FOR EMANCIPATION, AFFIDAVIT, AND WAIVER OF NOTICE
  - This form must be filled out in its entirety and be filed by the minor who is age 16 or older.
  - Form MC97a must accompany the petition. Complete this form as directed by the petition.
  - A certified copy of the petitioner's birth certificate must accompany the petition.

- Form PC 561: WAIVER/CONSENT
  - This form may be filled out by **each** parent or guardian if they choose.

- Form PC 102: PETITION TO RESCIND ORDER OF EMANCIPATION
  - This form may be filed by either the parent of the minor or the minor if, in the future, the parent or minor seeks to rescind the emancipation order.

File the petition and supporting documents via MiFile: https://mifile.courts.michigan.gov/login

NOTE: Summons will be issued to petitioner and parent(s)/guardian(s) by the Clerk|Register's Office personnel. A notice of hearing will be sent by Clerk|Register's Office to the affiant.

MiFILE Instructions

What is MiFILE?

MiFILE is a secure website you can use to file court documents. You will use MiFILE instead of going to the clerk's office or mailing your papers. For more information on MiFILE, you may visit https://www.courts.michigan.gov/49d681/siteassets/mifile/mifile-quick-reference-guide2.pdf

Why do I need to know about MiFILE?

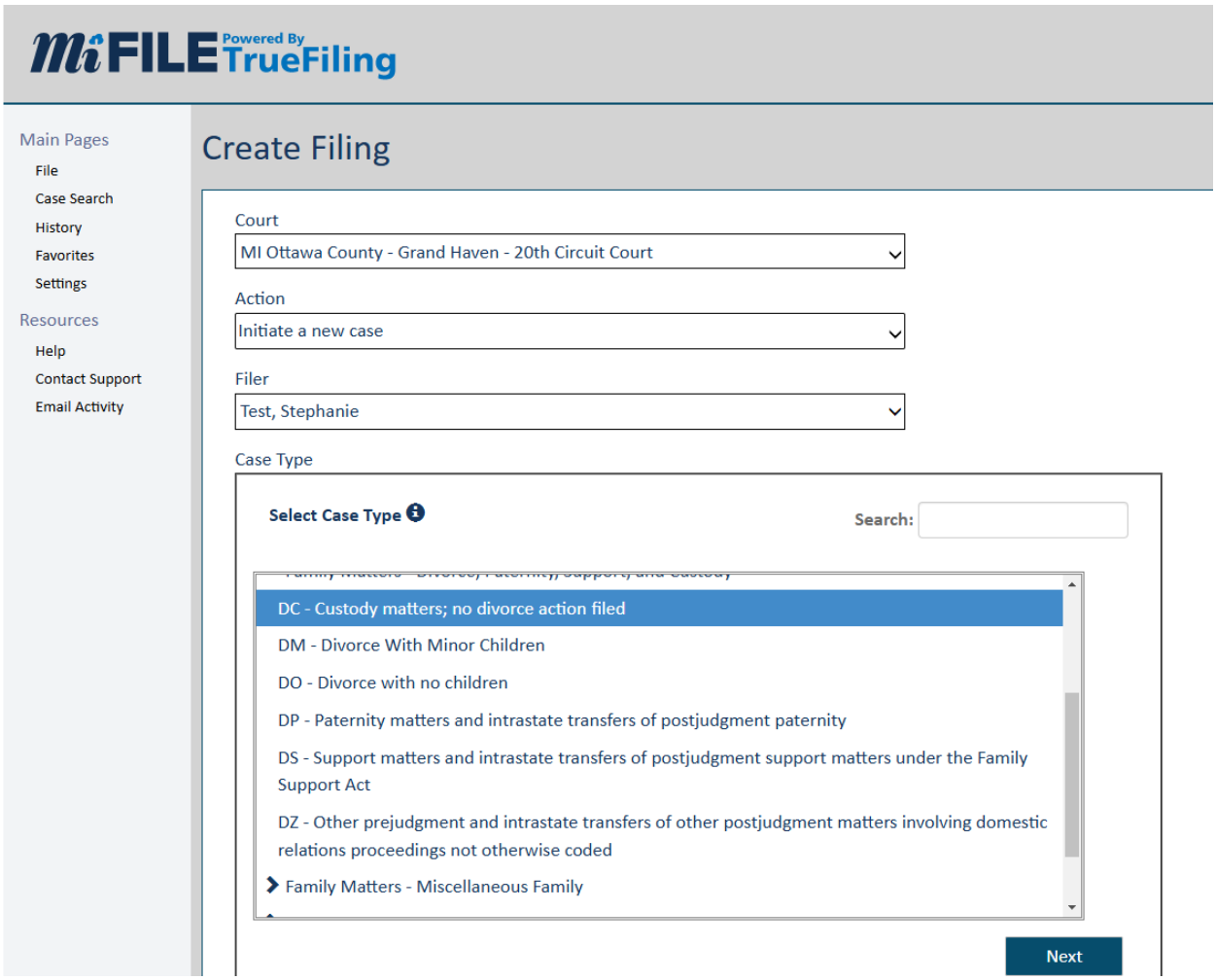
As of December 1, 2018, you are required to use MiFILE to file court documents in the 20th Circuit Court (Ottawa County) for certain case types. Beginning December 16, 2024, you are required to use MiFILE to initiate a case. If you received this document, your case type is included in this mandate.

What do I need to do?

1. **Create an account.** Go to https://mifile.courts.michigan.gov and create and account. There is no fee to create an account. You will need the following information:
    a. Email address
    b. First name
    c. Last name
    d. Address
    e. City
    f. State
    g. Zip code
    h. Password (must be at least 8 characters (max 20) and include at least 1 capital letter, 1 lower case letter, 1 number and a symbol.)

2. **Confirm your email.** After you create an account, you will receive an email asking you to confirm your account. Follow the directions in the email.

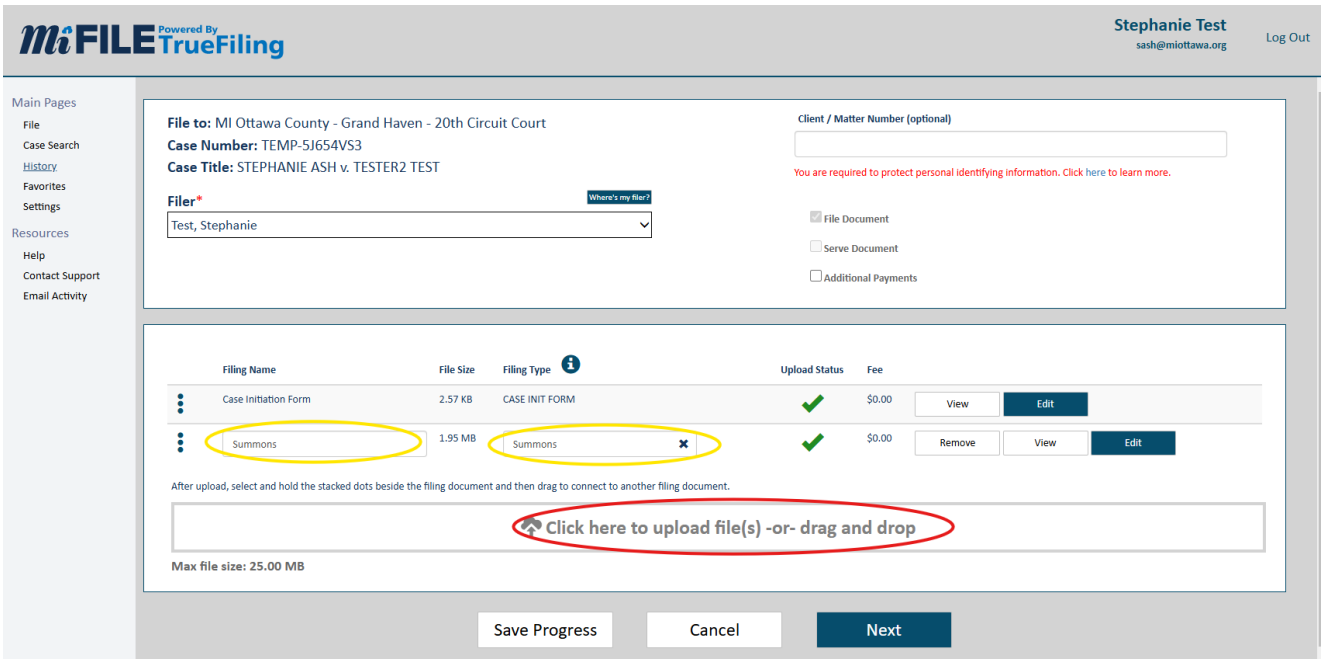
3. **Log In.** Once you log into MiFILE, there is a menu on the left. Click on "File". You will see a drop-down title "Court". Choose "Ottawa County Trial Courts" and "Ottawa County – 20th Circuit Court". Under "Action", choose "Initiate a New Case". You will then see your name in the "Filer" drop-down. Under "Case Type", choose the type of case you are starting (Miscellaneous Family)



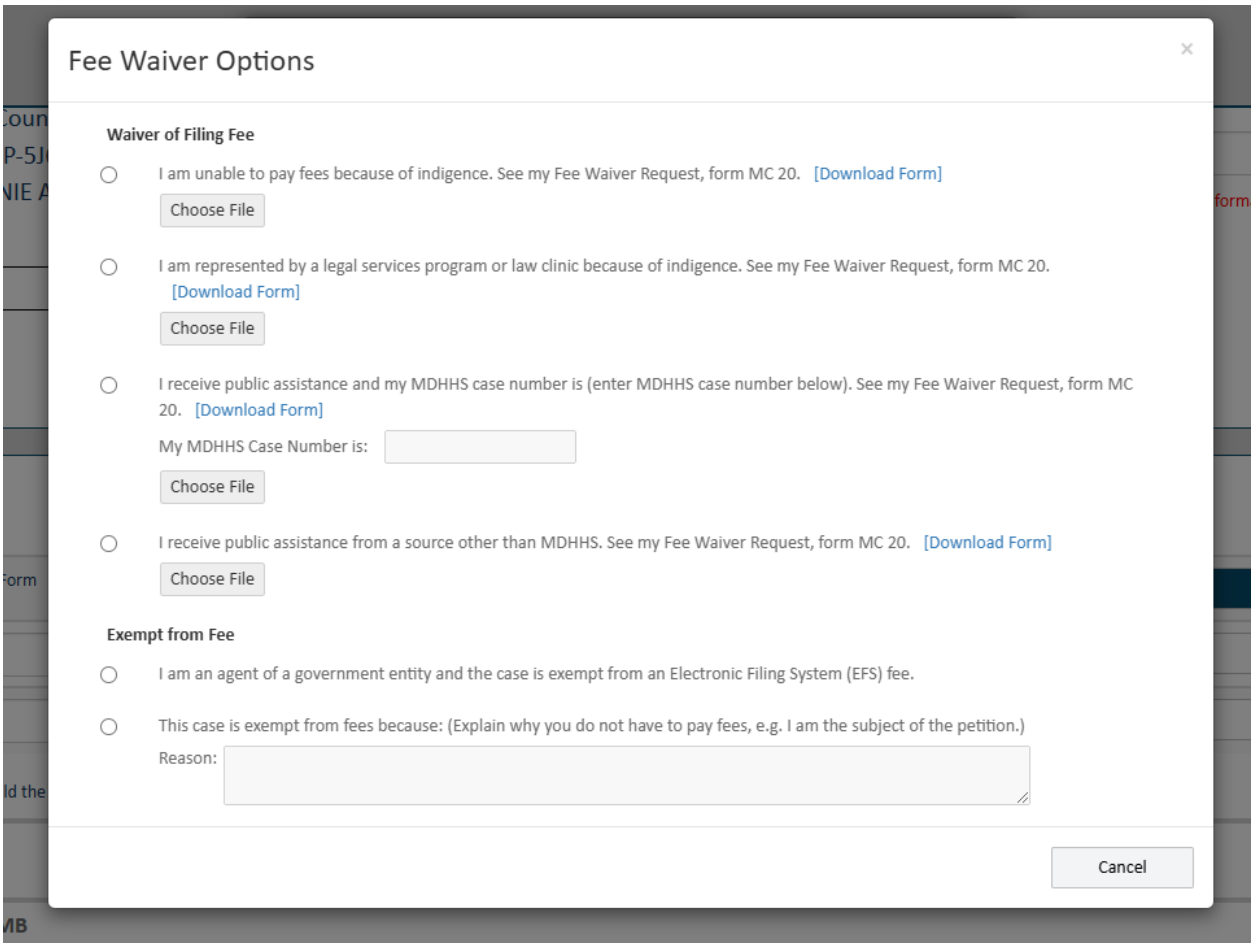
4. **Party Details.** This will populate a screen to fill in your information and the information on the other party:
    a. Last name, first name
    b. Address
    c. City
    d. State
    e. Zip
    f. Phone
    g. Email

5. **Related Domestic Actions.** This is asking if there are any other cases between yourself and the other party. If there are other cases between you and the other party, you will need to complete and file the “confidential case inventory” (MC 21).

6. **Filing to the Case.** Under “Filer”, click on the drop-down and choose yourself. You will now upload the documents to your case. Please note, you **must** file each of the documents separately. Under “Select or Type Filing Type”, if the name of the document is not listed, choose “Other”:
   Required Forms:
   a. Petition for Emancipation, Affidavit, and Waiver of Notice
   b. Addendum to Protected Personal Identifying Info
   c. Certified Copy of Minor’s Birth Certificate
   Required if Applicable:
   d. Confidential Case Inventory
   Optional Form:
   e. Request for Interpreter



7. **Payment.** Once all filings have been added to your account, choose next. This will take you to the payments section. To pay be credit/debit card, choose “Add Payment Account”.
   a. **Fee Waiver.** If you are requesting the filing fee be waived, you may choose “Request Fee Waiver” on this screen. You will then be prompted to upload the fee waiver form.



Need Help?

If you need help with e-filing, written and video instruction is available at the Clerk/Register's office on the garden level of the Family Justice Center during normal business hours. PLEASE NOTE: Clerks are not legal staff and therefore cannot file paperwork through e-filing on your behalf, if filing assistance is required, please seek legal advice from a licensed attorney. Normal business hours are Monday through Friday 8:00 am – 5:00 pm. Please note, the Clerk's office opens at 9:30 am (instead of 8:00 am) on the second Thursday of the month.

If you have questions about using MiFile, please contact support@truefiling.com or call **(855) 959-8868**.

JIS Code: PEM

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION PROBATE COURT Ottawa COUNTY	PETITION FOR EMANCIPATION, AFFIDAVIT, AND WAIVER OF NOTICE	CASE NO. and JUDGE

Court address
12240 Fillmore St, Rm 50, West Olive, MI 49460

Court telephone no.
616-786-4108

In the matter of _____
First, middle, and last name of the minor

Petitioner's name, address, and telephone no.	Petitioner's attorney, bar no., address, and telephone no.

1. My full name is _____ and my social security
First, middle, and last name (type or print)

   number is Put last 4 digits of SSN in Ref. No. row 10 on MC 97a.
   Last 4 digits

☐ 2. An action within the jurisdiction of the family division of circuit court involving the family or family members of the minor has been previously filed in _____ Court, Case Number _____, was assigned to Judge _____, and ☐ remains ☐ is no longer pending.

3. I am at least 16 years of age. I was born on Put DOB in Ref. No. row 10 on MC 97a. in _____
   Date

   County, _____. A certified copy of my birth certificate accompanies this petition.
   State

4. The name(s) and last known address(es) of my parents, guardian, or custodian are:

NAME	RELATIONSHIP	ADDRESS
	Parent	
	Parent	
	Guardian	
	Custodian	

5. I presently reside within this county at _____
   Street address

   _____ and I have lived there continuously since _____.
   City, state, zip Date

6. I am able to manage my own financial affairs as shown by the following facts: _____

_____

_____

_____

I am employed by: _____

7. I am able to manage my personal and social affairs as shown by the following facts: _____

_____

_____

My housing arrangements are: _____

8. I have read the Emancipation of Minors laws (Michigan Compiled Laws 722.1 through 722.6), and I understand my rights and responsibilities as an emancipated minor.

I REQUEST the court to order my emancipation.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

_____ _____
Date Minor's signature

_____ _____
Date Attorney's signature

AFFIDAVIT

1. I am a _____ , and I conduct business at or am employed at
Occupation

_____ .
Address City State Zip Telephone no.

2. I have personally known _____ , a minor, for _____ years, and
Name (type or print)

I have personal knowledge of his/her current circumstances.

3. I believe that emancipation would be in the best interests of the minor because of the following circumstances:

_____

_____

_____

☐ 4. I have reviewed this petition, and I waive notice of hearing and any adjournment of the hearing.

_____ _____
Date Signature of affiant

_____
Name (type or print)

_____
Address

_____
City, state, zip Telephone no.

Subscribed and sworn to before me on _____ .
Date

_____
Deputy clerk/Notary public signature

My commission expires on _____ . _____
Name (type or print)

Notary public, State of Michigan, County of _____ . ☐ Acting in the County of _____ .
☐ This notarial act was performed using an electronic notarization system or a remote electronic notarization platform.

JIS Code: API

STATE OF MICHIGAN JUDICIAL DISTRICT 20th JUDICIAL CIRCUIT Ottawa COUNTY PROBATE	ADDENDUM TO PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE

Court address: 12240 Fillmore St, Rm 50, West Olive, MI 49460

Court telephone no.: 616-786-4108

Plaintiff's/Petitioner's name	v	Defendant's/Respondent's name

In the matter of _____

This form is nonpublic because it contains personal identifying information (PII) that is protected from public inspection under MCR 1.109(D)(9)(a). Use this form to provide PII only for a person who is a NOT a defendant, respondent, or decedent. If the person is a defendant, respondent, or decedent use form MC 97.

Instructions:

- When PII (such as date of birth) must be filed with the court on a public document, DO NOT include it on that public document. Instead, you must provide it on this form.
- **Provide only** the protected PII required for your particular case. For example, if you are filing a public document that requires you to provide a date of birth to the court, complete only that field on this form.

Name of form/document that this MC 97a is being filed with: _____

_____

Printed name of individual completing form and date

Ref. No.	**Instructions:** Provide the name of the person that the PII applies to, followed by the specific PII that is required. For Other, specify the type of PII in addition to the PII itself - for example, Social Security No. XXXX. Use the below reference number (Ref. No.) in the public document in place of the protected PII. For example, insert "Ref. No. XX" in place of the DOB in the public document.		
10	Name	DOB	Other
11	Name	DOB	Other
12	Name	DOB	Other
13	Name	DOB	Other
14	Name	DOB	Other
15	Name	DOB	Other
16	Name	DOB	Other
17	Name	DOB	Other
18	Name	DOB	Other

Approved, SCAO

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION Ottawa COUNTY	PETITION TO RESCIND ORDER OF EMANCIPATION	FILE NO.

In the matter of _____ , an emancipated minor

1. I am interested in this matter and make this petition as the ☐ parent of the minor. ☐ minor.

2. The addresses of the minor and parents of the minor are the same as in the original petition except as to the following:

NAME	RELATIONSHIP	ADDRESS
	Parent	
	Parent	
	Minor	

☐ 3. An action within the jurisdiction of the family division of circuit court involving the family or family members of the minor has been previously filed in _____ Court, Case Number _____ , was assigned to Judge _____ , and ☐ remains ☐ is no longer pending.

4. This court entered an order of emancipation on _____ .
Date

5. The order of emancipation should be rescinded for one or more of the following reasons:
   ☐ a. The minor is indigent and has no means of support.
   ☐ b. The minor and the minor's parent(s) agree that the order should be rescinded.
   ☐ c. The family relationship has resumed and the order of emancipation is in conflict with this relationship.

6. I understand that rescission of an order of emancipation does not alter any contractual obligations or rights or any property rights or interests that arose during the period of time that the emancipation order was in effect.

I REQUEST that the order of emancipation be rescinded.

I declare that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

_____
Date

_____
Attorney signature

_____
Name (type or print)

_____
Address

_____
City, state, zip Telephone no.

_____
Signature

_____
Name (type or print)

_____
Address

_____
City, state, zip Telephone no.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT Ottawa COUNTY CIRCUIT COURT - FAMILY DIVISION	WAIVER/CONSENT	FILE NO.

In the matter of _____

1. I am interested in the matter as _____ .

☐ 2. I waive notice of the hearing and consent to the application/petition for _____
Nature of application/petition and name of applicant/petitioner

_____

_____

_____

_____

_____ , and I declare that I have received a copy of this application/petition.

☐ 3. I waive notice of the hearing concerning _____ .
Nature of hearing

_____
Date

_____
Signature

_____ _____
Attorney name (type or print) Bar no. Name (type or print)

_____ _____
Address Address

_____ _____
City, state, zip Telephone no. City, state, zip Telephone no.

NOTE: Do not use for waivers pursuant to MCL 700.3310.

Do not write below this line - For court use only