

STREET LAW SMARTS #10

LEAVING HOME/FINANCIAL SUPPORT

You can leave home at the age of 16 in Ontario. If you leave home sooner, child protection workers (e.g., Children's Aid Society) can apprehend you (pick you up) and take you to a safe place, such as a foster home or a group home. A judge will then decide whether you will become a CAS ward.

There is no such thing as legal emancipation or divorcing your parents in Ontario. If you are under 16 and you leave home because your parents mistreat you, you may be considered a child in need of protection and you may be put into the care of a CAS. If you have a safe and responsible place to stay, the CAS may allow you to stay there.

If you are under 16 and a Canadian citizen or a landed immigrant and your parent wants to take you out of the country permanently but you want to stay in Canada, you could stay with a relative or responsible friend. It is a good idea for this person to apply for guardianship of you, especially if you want to attend school. This means that they will be financially responsible for you and you will be required to live with them (unless they give permission for you to live somewhere else). Your parent (including the CAS if you have been taken into care) or guardian must support you until you are 16 and possibly longer.

Generally, your parents/guardians must support you until you are 18 or as long as you are in school full-time.

If you are 16 or older and you leave home voluntarily, your parents/guardian do not have to continue to support you, but if you leave because the conditions at home were intolerable, your leaving may not be considered voluntary.

Your parents are only required to support you as much as they are financially able to. There is a chart (called the Child Support Guidelines) that sets out how much parents usually have to pay.

If you are 16 or older and you have been forced to leave home, your parents/guardian may still have to support you. Examples of situations where a person is forced to leave home include being kicked out by a parent/guardian without good reason or experiencing abuse at home.

You are entitled to all personal items belonging to you that are at the home of your parents/guardians, **including personal identification and gifts**. This is true even if you are under 18. You can ask the police to help you get your belongings back, but your parents may not let them in, so you may need a lawyer to help you recover your belongings. The police should help you if you left home to escape from violence or physical abuse.