



HB1231 – Family Law – Authorization for a Minor to Marry

House Judiciary Committee – February 20, 2020

Testimony of Adam Rosenberg, Executive Director, and Joyce Lombardi, Baltimore Child Abuse Center

Position: **SUPPORT**

We write to urge a favorable report of HB1231. The bill raises the age of marriage from 15 to 17, provided certain conditions are met.

As Maryland's oldest accredited children's advocacy center, Baltimore Child Abuse Center (BCAC), a subsidiary of LifeBridge Health, provides trauma-informed services with a multidisciplinary team approach that includes law enforcement, forensic interviewers, social service workers, prosecutors, family advocates, and medical and mental health providers. Since its inception over 30 years ago, BCAC has provided help to over 40,000 children and their families.

Under current Maryland law, children as young as 15 can get married with parental consent AND if they are pregnant or parenting; and a 16 or 17-year-old can marry if they have parental consent OR if pregnant or parenting. Under current law, the court clerk has no authority to intervene if they suspect that a parent or partner is coercing the minor. There is also no emancipation law in Maryland, thus no way for the minor applicant to demonstrate maturity or independence in the court proceeding.

Almost 3,400 teens married in Maryland from 2000 to 2017, according to the Md. Health Department. In 2016, 25 Maryland minors married someone in their 20s and six married someone in their 30s.

By creating strict regulations, HB 1231 will help protect children who may be coerced into marriage by a parent or a would-be partner. As a child advocacy center, we are unfortunately well acquainted with ways that parents are complicit in enabling a child's abuse at the hands of another.

This bill can help prevent coercion by parents or partners. House Bill 1231 will allow 17-year olds to marry in limited circumstances while expanding courts' ability to detect force, fraud or coercion. HB 1231 requires that the other party to be married is not four years older, which is consistent with Maryland's statutory rape laws. The bill also requires that court to appoint a lawyer, and conduct an in-camera review apart from family members. Pregnancy alone is deemed an insufficient reason to marry. The bill prohibits marriage if one of the parties has been convicted or adjudicated for a sex crime or a crime against a minor or human trafficking or was in a position of authority over the minor.

Marriage is a legal contract with long-lasting financial and legal obligations. Brain chemistry tells us that adolescent brain, especially the decision-making function and impulse control, is not mature until the early 20s. Some data suggests that child marriages often fail. In the U.S. people who marry before 18 have a 70 to 80 % chance of getting divorced according to Pew Research foundation.

Marriage of a minor is outlawed in many states. Several states have raised marriage minimums to 17 (Indiana, Nebraska, Oregon, Washington) or 18 (Kentucky, Louisiana, West Virginia).

For all of the heretofore stated reasons, we request a **FAVORABLE** report for HB1231.