



TO: The Honorable William C. Smith, Jr., Chair
Members, Senate Judicial Proceedings Committee
The Honorable Mary Washington

FROM: Pamela Metz Kasemeyer
J. Steven Wise
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DATE: February 25, 2020

RE: **SUPPORT WITH AMENDMENT** – Senate Bill 680 – *Family Law – Minors – Emancipation*
(*Emancipation of Minors Act*)

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **support with amendment** for Senate Bill 680.

Senate Bill 680 proposes to expand the jurisdiction of an equity court to include petitions for the emancipation of minors age 16 or older. As proposed, a minor who is at least age 16 would be authorized to file a petition in the minor's own name to become emancipated from the minor's parents or legal guardian. A parent would not be permitted to file a petition individually or on behalf of the minor. A Court would be authorized to enter an order of emancipation if the court found that: the minor was capable of living independently, being self-supporting, and managing the minor's own affairs; the minor understands the rights, responsibilities, and other consequences of emancipation; and emancipation is in the best interest of the minor.

An order of emancipation would confer on the minor all of the rights and responsibilities of legal adulthood with certain exceptions. Those exceptions include voting, purchase or consumption of alcohol, tobacco or electronic cigarettes, compulsory school attendance, and health and safety regulations including workplace regulations designed to protect those under the age of 18 years, and employment in gaming. While MDAAP supports the objective of the legislation, which is to enable a minor age 16 and older to be emancipated if deemed in the best interest of the minor, MDAAP would assert that those exceptions to emancipation should also include the right to apply for a marriage license which would be granted under the bill as written.

American women who marry before the age of 18 are more likely to face psychiatric disorders like clinical depression, according to a 2011 nationwide study published by the American Academy of Pediatrics. Early marriage doubles a teenager's chances of living in poverty and triples the likelihood of domestic violence, compared to married adults. Limiting the ability to minors to marry regardless of emancipation status substantially limits the threat of a minor being forced or coerced into a marriage. Forced marriage victims experience significantly high rates of sexual abuse, economic threats, and isolation. A 2016 review by The American College of Obstetricians and Gynecologists found that women and girls who were threatened with forced marriage reported higher instances of intimate partner violence.

This Committee will be considering separate legislation (*Senate Bill 949 – Family Law – Authorization for a Minor to Marry*) which provides important changes to Maryland’s law regarding a minor’s right to marry. That legislation provides critical limitations on the right of minors to marry to individuals who are 17 and enhances the requirements that must be met for an individual who is age 17 to marry. MDAAP strongly urges the Committee to support the proposed changes to the other legislation and amend this bill to delete the right of an emancipated minor to apply for a marriage license and instead add a provision to the law that adds the right to marry to the list of exceptions to minor emancipation.

MDAAP supports enacting legislation that provides minors the right to seek emancipation but does not support including the right to marry as a right conferred with emancipation. With its noted amendment, MDAAP urges a favorable report.

For more information call:

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