

SB0029 Family Law - Emancipation of a Minor and Authorization to Marry

Judicial Proceedings Committee – January 26, 2022

Sponsor: Senator Elfreth

Position: Support

Testimony of Scott Poyer, Clerk of the Circuit Court, Anne Arundel County

Thank you Chairman Smith and members of the committee for this opportunity to testify in support of SB 29. For the record, my name is Scott Poyer and I am the Clerk of the Circuit Court for Anne Arundel County. My testimony today is not on behalf of the Maryland Judiciary. I am here representing myself as the elected official who is responsible for issuing marriage licenses and performing marriage ceremonies in Anne Arundel County.

I am in favor of SB 29 because I do not feel the current laws provide enough protection for minors who may find themselves being pressured into marriage.

I believe there is a lack of safeguards for minors under the current system. Under current law, only one applicant needs to appear to make the marriage application and swear that the information for both parties is correct, and the marriage ceremony itself can be performed by virtually anyone. Anyone can be ordained to perform weddings in Maryland. It takes about five minutes and costs \$29.99 to fill out the online form to be ordained.

The bottom line is that we may never see the minor being married and all we have is a green piece of paper that gets returned to us notifying us that the marriage took place. The applicant gets a valid Maryland marriage license recognized in all 50 states. If such a wedding took place fraudulently or under duress, it is especially bad for the minor because they would not be able to challenge the marriage until they turned 18. I think it is worth building some extra safeguards into the system to help prevent minors from marrying against their will.

I support the proposed legislation because it provides better safeguards for minors by raising the minimum marriage age to 17, requiring an attorney be appointed to represent the minor, and also requiring a court hearing for each case.

Thank you for the opportunity to comment on this bill.