I. PURPOSE:

This policy establishes a guideline for marriages of eligible OYA youth offenders in community placements.

For offenders in close custody facilities, refer to OYA policy II-F-3.3 (Marriage – Offender [Facility]).

II. POLICY DEFINITIONS:

None.

III. POLICY:

The State of Oregon permits people 17 years of age or older to marry. OYA youth offenders 17 years of age require written consent of their parent or guardian to marry. If no parent or guardian resides within Oregon, a marriage license may be issued without consent of the parent or guardian providing the youth offender has resided for six months within the county where the application is submitted. Youth offenders 18 years of age or older do not require written consent of any party to marry.
For youth offenders 17 years of age:

- When a court grants legal custody and guardianship to OYA, the agency has the authority to consent to a youth offender’s marriage, if the youth offender is legally permitted to marry. Authorization to give consent to marry is exercised by an Assistant Director or, in his/her absence, the Director.
- In cases where only legal custody is granted to OYA (no guardianship), the agency cannot provide consent to marry.

The decision of a youth offender to marry will be made in conjunction with the youth offender and his/her family. The Juvenile Parole/Probation Officer (JPDO) will discuss the matter with the youth offender and his/her family (if available).

IV. GENERAL STANDARDS:

Staff responsibilities

A. Discuss marriage plans with the youth offender and his/her family (if available).

B. Provide information as requested by the youth offender about community resources.

C. Contact the local juvenile department regarding local practice.

V. OYA GENERAL OPERATING PROCEDURE REQUIRED: NO

VI. LOCAL OPERATING PROTOCOL REQUIRED: NO