



OREGON YOUTH AUTHORITY

Policy Statement

Part II – Youth Services (Facilities)



Subject:

Marriage – Youth [Facility]

Section – Policy Number:

F: Justice – 3.3

Supersedes:

II-F-3.3 (02/00)

Effective Date:

03/13/2007

Date of Last Review:

03/19/2015

Related Standards and References:

- [ORS 106.010 to 106.060 \(Marriage\)](#)
- [ORS 419C.550 to 419C.558 \(Legal Custodian of Youth; Guardian\)](#)
- [OYA policy](#): I-A-8.0 (Exercise and Delegation of Legal Custodian and Guardianship Authority)
I-E-2.3 (Requests for Youth Records, Reports, and other Materials)
II-E-2.5 (Visits with Youth)

Related Procedures:

- None

Policy Owner:

Facility Services Assistant Director

Approved:

Robert S. Jester, Director

I. PURPOSE:

This policy establishes a guideline for marriages of eligible OYA youth within OYA facilities.

II. POLICY DEFINITIONS:

None.

III. POLICY:

The State of Oregon permits people 17 years of age or older to marry. OYA youth 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 has resided for six months within the county where the application is submitted. Youth 18 years of age or older do not require written consent of any party to marry.

For youth 17 years of age:

- When a court grants legal custody and guardianship of a youth to OYA, the agency has the authority to consent to the youth's marriage, if the

youth is legally permitted to marry. Authorization to give consent to marry is exercised by an OYA assistant director or the OYA director.

- In cases where only legal custody is granted to OYA, the agency cannot provide consent to marry.

Eligible youth may be permitted to marry provided that the marriage is legal, would not present a threat to the safe, secure, and orderly operation of an OYA facility and would not jeopardize public safety.

IV. GENERAL STANDARDS:

- A. OYA will not pay for fees incurred related to the marriage process, such as the marriage license fee and ceremony expenses.
- B. Designated facility staff will provide information as desired by the youth regarding pre-marital counseling. Prior to release of youth records, staff should refer to OYA Policy I-E-2.3 (Request for Youth Records, Reports, and Other Materials).
- C. Designated facility staff or the assigned juvenile parole/probation officer (JPPO) will discuss marriage plans with the youth and the youth's family (if available).
- D. Marriage ceremonies within a facility will follow the local facility protocol, remaining consistent with OYA policy II-E-2.5 (Visits with Youth).

V. LOCAL OPERATING PROTOCOL REQUIRED: NO