



# OREGON YOUTH AUTHORITY



## Policy Statement

### Part II – Youth Services (Facilities)

*Subject:*

**Youth Marriage - Facility**

*Section – Policy Number:*

**F: Justice – 3.3**

*Supersedes:*

**II-F-3.3 (03/07)  
II-F-3.3 (02/00)**

*Effective Date:*

**10/26/2023**

*Date of Last*

*Review/Revision:*

**None**

**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 Information and Records)  
II-E-2.5 (Visits with Youth)

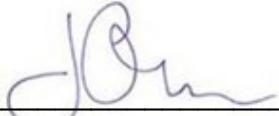
**Related Procedures:**

- [FAC II-E-6.0](#) Substance Use Assessment and Treatment in OYA Facilities

**Policy Owner:**

Facility Services Assistant Director

**Approved:**



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Joseph O'Leary, Director

#### I. PURPOSE:

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

#### II. POLICY DEFINITIONS:

None.

#### III. POLICY:

OYA has identified diversity, equity and inclusion as an agency priority and initiative, with a goal to build a respectful, diverse, equitable and inclusive environment for youth and staff that is free from harassment, discrimination and bias. Data shows youth of color and LGBTQ+ youth are disproportionately represented in the juvenile justice system. While OYA is only one part of that system, it plays a critical role in addressing the historical and systemic inequities it perpetuates. Staff must not impose their own belief systems or biases about marriage on youth in OYA custody.

Oregon permits people 17 years of age or older to marry. 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 must provide information as desired by the youth regarding pre-marital counseling. Prior to release of youth records, staff must refer to OYA policy I-E-2.3 (Request for Youth Information and Records).
- 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 must follow the facility's local operating protocol, remaining consistent with OYA policy II-E-2.5 (Visits with Youth).

#### **V. LOCAL OPERATING PROTOCOL REQUIRED: NO**