



OREGON YOUTH AUTHORITY



Policy Statement

Part III – Youth Services (Community)

Subject:

Youth Marriage – Community

Section – Policy Number:

D: Case Management – 7.0

Supersedes:

III-D-7.0 (06/08)

Effective Date:

10/26/2023

Date of Last

Revision/Review:

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-F-3.3 (Youth Marriage – Facility)

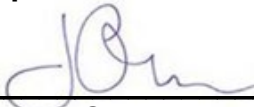
Related Procedures:

- None

Policy Owner:

Community Services Assistant
Director

Approved:



Joseph O'Leary, Director

I. PURPOSE:

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

For youth in close-custody facilities, refer to OYA policy II-F-3.3 Youth Marriage – Facility.

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.

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 to OYA, the agency has the authority to consent to a youth's marriage if the youth is legally permitted to marry. Authorization to give consent to marry is exercised by an assistant director or, in that person's 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 to marry must be made in conjunction with the youth and the youth's family, when applicable, and take into consideration the youth's wishes, history, and any pressure by the partner, family, or community being applied on the youth.

IV. GENERAL STANDARDS:

Staff responsibilities

- A. Discuss marriage plans with the youth and the youth's family (if available).
- B. Provide information as requested by the youth about community resources (e.g., financial or premarital counseling).
- C. Contact the appropriate county department regarding local practice.

V. OYA GENERAL OPERATING PROCEDURE REQUIRED: NO

VI. LOCAL OPERATING PROTOCOL REQUIRED: NO