



**Joint Committee on Judiciary
132nd Maine State Legislature
March 31, 2025**

**Testimony in SUPPORT of LD1185
An Act to Prohibit Persons Under 18 Years of Age from Marrying**

Chair Anne Carney, Senator David Haggan and distinguished Committee Members:

I am Loretta Jay, managing member of the Justice of the Peace Association (JPus), the professional membership association for civil marriage officiants. We represent Notaries Public in Maine and Justices of the Peace (JPs) from other New England states. On behalf of our Maine members, **JPus is strongly in favor of LD 1185, *An Act to Prohibit Persons Under 18 Years of Age from Marrying***. Respectfully, we urge you to vote YES in support of the bill.

Notary Publics

For civil marriage officiants, children getting married is personal. Contrary to popular belief, performing a marriage ceremony is not about friends and family watching loved ones promise to love each other forever and ever. While that is a beloved aspect of the officiant's job, the most important part is legal. The officiant must determine that both parties are willing participants to enter this lawful contract.

Legal Rights

When minors marry, they do not have access to the same legal rights as adults. For instance, when someone under 18 gets married, they are three times more likely to be beaten by their spouse compared to 21-year-olds.ⁱ But the state's child welfare agency cannot protect them since they are not under the care of their parents. Nor can they enter a domestic violence shelter since they are not yet 18. Kids who marry face overwhelming legal and practical barriers if they try to leave home, retain an attorney or bring a legal action. This lack of protection leaves the youth very vulnerable.

Lifelong Consequences

Girls (it is usually girls) who marry are less likely to finish high school or graduate from college. Furthermore, they are 31% more likely to live in poverty.ⁱⁱ Unsurprisingly, this carries over into adulthood. To illustrate, kids who marry are 11% more likely to be poor when older.ⁱⁱⁱ Child marriage devastates girls' lives. It destroys their health, education and economic opportunities, and increases their risk of experiencing violence. In fact, marriage before 18 is recognized as a human rights abuse by the U.S. State Department because it produces devastating, lifelong consequences.^{iv}

Parents may be the Perpetrators

Seventeen-year-old children can easily be forced to marry. Parental "consent" does not mitigate that danger - When a child is forced to marry, the perpetrators are almost always the parents. As a result, exceptions to the law that involve parents or courts do not mitigate the risk. Even requiring a judge to give approval doesn't allay pressure; the teens do not speak truthfully to the court because if the marriage is refused, they would return to the same parents who are coercing them. If Probate Court judges cannot ascertain the truth, neither can marriage officiants.

Maine a Destination State for Child Brides

JPos members are professionals who take an oath to execute the laws of the state and to abide by our *Code of Ethics*.^v Current Maine law allowing 17-year-olds to wed puts these two at odds as our ethics code requires officiants to act in the best interest of their clients. And as described above, marrying before 18 years of age is not in the child's best interest.

Our members have voiced strong opposition to *all* child marriages. They have said that they would not feel comfortable performing them and would likely refuse to do so. To that point, in October 2018, JPos polled members. Ninety-five percent voted^{vi} to join the national Coalition to End Child Marriage which has a no-exceptions platform to make 18 the minimum age to wed. Subsequently, civil marriage officiants successfully advocated to end child marriage throughout the Northeast. We are relieved that from New Hampshire to Delaware, only adults may marry. We fear Maine will become a destination site for child marriage if this bill is not passed.

LD1185 will protect all children in the state of Maine from the dangers of child marriage. Passage of this bill will also alleviate the state's notaries from conflicting legal and ethical obligations. As such, on behalf of Maine's notaries public, we respectfully ask you to vote favorably in support of the bill and move it forward out of Committee.

Thank you for this opportunity to share our position. I am available for any questions or to discuss this matter further.

Respectfully,



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ⁱ World Policy Analysis Center Fact Sheet, March 2015.

https://www.worldpolicycenter.org/sites/default/files/WORLD_Fact_Sheet_Legal_Protection_Against_Child_Marriage_2015.pdf. Accessed 3/30/2025.

ⁱⁱ Hamilton, Vivian E., *The Age of Marital Capacity: Reconsidering Civil Recognition of Adolescent Marriage* (2012). Faculty Publications. 1430. <https://scholarship.law.wm.edu/facpubs/1430>. Accessed 3/30/2025.

ⁱⁱⁱ *ibid*

^{iv} United States Global Strategy to Empower Adolescent Girls, page 21. March 2016.

<https://2009-2017.state.gov/documents/organization/254904.pdf>. Accessed 3/30/2025.

^v Justice of the Peace Association *Code of Ethics*, <https://findajp.com/jpus/about-us/code-of-ethics/>. Accessed 3/30/2025.

^{vi} Coalition to End Child Marriage, Justice of the Peace Association. Retrieved from <https://www.findajp.com/jpus/coalition-to-end-child-marriage/>. Accessed 3/30/2025.