

RIVERSIDE COUNTY JUVENILE PROBATION

MARRIAGE CONSENT CHECK SHEET FOR MINORS

MARRIAGE CONSENT REQUIREMENTS

Section 302 of the Family Code of California requires that any person under the age of 18 years must have written consent of a parent or guardian, as well as consent of the superior court, prior to being issued a marriage license. Any person under the age of 18 years who does not have a parent or guardian must secure court consent (303 Family Code).

For procedural purposes, the Superior Court of Riverside County requires that all applications requiring court consent shall be processed through the Probation Department. The probation officer makes a recommendation to the judge of the juvenile court on the advisability of consenting to the marriage. In order to provide the court with a recommendation, the probation officer conducts an investigation.

Prior to being interviewed by the probation officer, the following items are necessary for both applicants, regardless of their age, if one is of the age that requires court consent for marriage:

- 1. Residence: Parent(s) of minor requiring court consent must be residents of Riverside County. A utility bill will suffice as proof. Parent(s) must provide a valid California Driver's License or identification with an address.
- 2. Pre-Marital Counseling Verification: A letter of verification (addressed "To Whom It May Concern," or "Judge of the Juvenile Court," on counselor's letterhead) of three (3) hours of pre-marital counseling by an ordained minister, priest, rabbi, psychologist, psychiatrist, Family Counseling Service, Mental Health Clinic, or any licensed marriage counselor. The letter should include a statement of the following areas: Social, economic, sexual adjustment and differences, personal responsibilities incidental to marriage, and should contain a recommendation for or against court consent for marriage.
- 3. Birth Certificate: Verification of both applicants is required. (Driver's License, military identification, immigration card or baptismal certificate is acceptable for adults).
- 4. Pregnancy: In case of pregnancy, a medical statement from a physician on letterhead confirming pregnancy and due date is required for female applicants.
- 5. Employment Verification: A letter from both applicants' employers, on company letterhead verifying salary, length of employment and work habits.
- 6. The minor must provide a transcript from school or provide a copy of the diploma.
- 7. Armed Forces: In the case of a person in the Armed Forces, a statement from his/her commanding officer as to rate of pay and verification of good standing (This may be obtained from any local recruiter).

8. Parental Consent: All applicants under the age of 18 years must have consent of a natural parent, or consent of the legal guardian. Legal custody for the parent or guardian must be verified by custody order from the court, guardianship papers from the court or by a death certificate. Written parental consent may be submitted in the form of a notarized statement. Emancipated minors are not exempt from the above requirements.

NOTE: The Emancipation of Minors Act allows emancipated minors to enter into contracts generally. However, marriage contracts differ from other contractual relations in that the Family Code requires parental and court consent.

California Law (58 Cal.Jur.3d, Statutes Section 109) provides that a specific statute dealing expressly with a particular subject takes control and precedence over conflicting general statute on the same subject.

9. Former Marriages: If either applicant has been previously married, or has had a State Registered Domestic Partnership (SRDP) dissolved within the last 90 days, documented proof of dissolution of that marriage/SRDP is necessary.
10. When all the requirements have been completed, both applicants, even though one may have reached majority, must be interviewed by the probation officer. The consenting parent must accompany the applicant who is under age 18. Interviews are by appointment only.

NOTE: The Juvenile Court judge may make exceptions to the listed marriage consent requirements.

Applicant interviews are done at:

County of Riverside
Juvenile Probation Office
47-671 Oasis Street
Indio, CA. 92201

or

County of Riverside
Juvenile Probation Office
9889 County Farm Road
Riverside, CA. 92503

To schedule an interview, or if you have questions concerning the requirements, call (760) 863-8292 (Indio) or (951) 358-4310 (Riverside), and ask for the officer who conducts Marriage Consent Investigations.

If the Court grants the request for the marriage of a minor, the minor must provide the Clerk's Office with a copy of the Court Order of Consent.

All other requirements to purchase a regular Public Marriage License must be met before a license can be issued. (For information as to other requirements, call the Riverside County Clerk's Office at (760) 863-8732 (Palm Desert) or (951) 486-7000 (Riverside).