



## New Hampshire Senate Judiciary Committee

February 1, 2024

### Written Testimony in Support of SB359: Raising the Age of Marriage to Eighteen

Chair Sharon Carson, Vice Chair William Gannon and Distinguished Committee Members:

**On behalf of New Hampshire's justices of the peace, the Justice of the Peace Association (JPUs) is in favor of SB359 and urges you to vote "Yea" for the bill.**

My name is Loretta Jay and I am the managing member of the Justice of the Peace Association. JPUs is a professional membership association of civil marriage officiants. In this capacity, I represent civil marriage officiants in New Hampshire and throughout the Northeast, and I urge you to vote in support of SB359 which increases the minimum age to marry to 18. For officiants, kids getting married is personal.

When a 16- or 17-year-old gets married, they are three times more likely to be beaten by their spouse compared to 21-year-olds.<sup>i</sup> And they're at significantly higher risk of suffering from psychiatric disorders.<sup>ii</sup> 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.<sup>iii</sup> Unsurprisingly, this carries over into adulthood. To illustrate, kids who marry are 11% more likely to be poor when older<sup>iv</sup>, too. In fact, marriage before 18 is recognized as a human rights abuse by the U.S. State Department because it produces devastating, lifelong consequences.<sup>v</sup>

Pregnancy is not an excuse, either. Pregnant teens who marry are more likely to suffer economic deprivation and instability compared to those who stay single. And because 70-80% of child marriages end in divorce, there is an even greater likelihood she'll have less education and less income, with potentially nowhere to go, completely on her own when her marriage fails.

When people think about a marriage ceremony, they usually think of either a religious or a secular wedding celebration. Actually, all that is required is the officiant witnessing the couple affirming their intention to be married and then processing the paperwork. No frills and no fluff required. We must remember, marriage is a *legal* act.

I started my career in child welfare, charged with protecting children from the abuse and neglect inflicted by their caregivers. So, it shocks me that our current law has a built-in loophole that allows parents to enter their teen into the legal contract of marriage. Even though we know that parents are the ones who are most likely to coerce their kids into this arrangement. Once married, kids do not qualify for legal protection through child protective services, nor can they access an adult domestic violence shelter.



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Members of the Justice of the Peace Association are professionals who take their responsibility very seriously. They abide by a Code of Ethics that dictates acting in their clients’ best interest. When we polled our members in 2018, 95% responded<sup>vi</sup> that they would likely refuse to marry a minor and wanted 18 to be the minimum age – no matter what. The current law puts marriage officiants in a legal and ethical quandary. Much like I was on the front-line protecting children from abuse and neglect, officiants are on the front line now, feeling complicit if compelled to subject a child to such a bleak future.

**SB359 will protect all children in the state of New Hampshire from the dangers of child marriage.** Passage of this bill will also alleviate the state’s justices of the peace from conflicting legal and ethical obligations. As such, on behalf of New Hampshire’s justice of the peace, I respectfully ask you to vote YES in support of the bill.

Thank you for your consideration of this very important piece of legislation. I am available for any questions or to discuss this matter further.

Respectfully,

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***The following New Hampshire JPUS members and Justices of the Peace endorse this testimony:***

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<sup>i</sup> 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](https://www.worldpolicycenter.org/sites/default/files/WORLD_Fact_Sheet_Legal_Protection_Against_Child_Marriage_2015.pdf). Accessed 2/26/2023.

<sup>ii</sup> Yann Le Strat, Caroline Dubertret, Bernard Le Foll, *Child Marriage in the United States and Its Association with Mental Health in Women, Pediatrics* (2011) 128 (3): 524–530. <https://doi.org/10.1542/peds.2011-0961>. Accessed 2/26/2023.

<sup>iii</sup> 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 1/27/2024.

<sup>iv</sup> *ibid*

<sup>v</sup> United States Global Strategy to Empower Adolescent Girls, page 21. March 2016. <https://2009-2017.state.gov/documents/organization/254904.pdf>. Accessed 1/27/2024.

<sup>vi</sup> Coalition to End Child Marriage, Justice of the Peace Association. Retrieved from <https://www.findajp.com/jpus/coalition-to-end-child-marriage/>. Accessed 1/27/2024.