

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Mary Ellen Barbera  
Chief Judge

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** House Judiciary Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq. (410-260-1523)  
**RE:** House Bill 242  
Family Law – Minors – Emancipation of a Minor and  
Authorization to Marry  
**DATE:** January 13, 2021  
(1/28)  
**POSITION:** Oppose

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The Maryland Judiciary opposes House Bill 242. This bill would establish a process for a petition for the emancipation of a minor and authorization to marry.

First, the bill provides that a court shall appoint a lawyer to serve as a best interest attorney for the petitioner but does not identify any funding source for the representation.

In addition, this bill adds a court process to determine whether the marriage can occur. A trial to establish whether a minor can get married, and exploring their intentions makes a difficult premise untenable. This process could easily lead to warring parents taking opposite views, resulting in protracted litigation over whether the child can marry.

Further, it is not clear what standard of proof is required in this bill. Current law states clearly the requirements for marriage of a person under 18 years old.

cc. Hon. Vanessa Atterbeary  
Judicial Council  
Legislative Committee  
Kelley O'Connor