

IC 31-11-2

Chapter 2. Consent to Marry Required for Certain Individuals

IC 31-11-2-1

Necessity of consent to marry

Sec. 1. Except as provided in section 3 of this chapter, each individual who is less than eighteen (18) years of age must obtain consent under this chapter before the individual may marry.

As added by P.L.1-1997, SEC.3.

IC 31-11-2-2

Execution of consent to marry

Sec. 2. (a) A consent to marry under this chapter must be signed and verified in the presence of the clerk of the circuit court by:

- (1) both parents, natural or adoptive, of the individual who is less than eighteen (18) years of age;
- (2) the legally appointed guardian of the individual;
- (3) one (1) parent of the individual if legal custody has been awarded to that parent by a judicial decree; or
- (4) one (1) parent if the other parent:
 - (A) is deceased;
 - (B) has abandoned the individual who is less than eighteen (18) years of age;
 - (C) is physically or mentally incompetent to furnish the written consent; or
 - (D) is an individual whose whereabouts is unknown.

(b) If only one (1) parent signs the consent under subsection (a)(3) or (a)(4), the consent must contain a verified statement of fact that explains why only one (1) parent is required to sign the consent.

As added by P.L.1-1997, SEC.3.

IC 31-11-2-3

Issuance of marriage license to minor not obtaining required consent; procedure

Sec. 3. (a) An individual who is less than eighteen (18) years of age may marry if:

- (1) the individual petitions the judge of the circuit or superior court of a county that is:
 - (A) the county of residence of the individual or the county of residence of the individual that the individual intends to marry; or
 - (B) a county that adjoins a county described in clause (A);
- (2) the judge of the circuit or superior court directs the clerk of the circuit court to issue the individuals who intend to marry each other a license to marry without obtaining the consent required by section 1 of this chapter; and
- (3) the individual is not prohibited from marrying for a reason set forth in IC 31-11-1.

(b) The petition made under subsection (a)(1) may be made in

writing or orally. The judge of the court may conduct investigations and hold hearings on the petition. The judge may, by written order, direct the clerk of the circuit court to issue a marriage license under subsection (a)(2) if the judge:

- (1) considers the facts relevant to the issue presented by the petition;
- (2) finds that good and sufficient reason for the order has been shown; and
- (3) finds that the order is in the best interest of all persons concerned with the issues raised in the petition.

As added by P.L.1-1997, SEC.3.