



Testimony in Support of HB4293-4302: Ending Child Marriage Presented to Michigan House Judiciary Committee | May 10, 2023

Dear Chair Breen, Vice Chair Edwards, Vice Chair Fink, and Distinguished Committee Members:

Zonta International is a nonpartisan organization that builds a better world for women and girls through service and advocacy. **Zonta International District 15 is comprised of clubs in Michigan and supports ending child marriage in Michigan, a non-partisan issue.**

Zonta is part of the Michigan Coalition to End Child Marriage, led by Unchained at Last and have educated you and your colleagues on child marriage since 2019. We are very pleased you are holding a hearing on Bills HB4293-4302. Child marriage is an urgent problem in Michigan as there is no minimum age to marry. Michigan also has dangerous legal loopholes that allow parents to enter 16- and 17-year-olds into marriage by signing a form and allow parents to enter children 15 and younger into marriage with judicial approval.¹

The Current Laws in Michigan

- When a child is forced to marry, the perpetrators are often the parents. The law provides no recourse for a 16- or 17-year-old who does not want to marry, even if they cry in front of a clerk and beg for help; the teen is powerless to prevent the marriage.
- The law does not require the court to interview a child under the age of 16 before approving their marriage; it requires only that the parents request the marriage.
- A child of any age is automatically emancipated upon marriage,² which could end their parents' financial obligation to the child,³ regardless of the child's financial situation. Typically, a child cannot be emancipated before age 16 and then not unless they prove financial independence.⁴ Child marriage usurps emancipation norms.
- Sex with a child under 16 is a typically felony; however, **child marriage gives rapists a “get out of jail free” card.**⁵ We must do better for our children.

Alarming Statistics in Michigan

- 5,426 children were married in Michigan between 2000 and 2021, some as young as 14.⁶
- 95% were girls wed to adult men an average of 4.3 years older.⁷
- 12 children were under the age of 16 and therefore not old enough to consent to sex.⁸

¹ Michigan Compiled Laws (MCL) §§ 551.103(1), 551.201(2), 551.51.

² MCL § 722.4(2)(a).

³ MCL § 722.3(1).

⁴ MCL § 722.4c(2).

⁵ MCL §§ 750.13, 750.520b-520e, 750.520l. A conviction may not occur solely if the legal spouse is under age 16.

⁶ Fraidy Reiss, Child Marriage in the United States: Prevalence and Implications, Journal of Adolescent Health (December 2021).

⁷ Unchained at Last analyzed marriage certificate data from the Mich. Department of Health and Human Services.

⁸ Alissa Koski, et. al., Child Marriage or Statutory Rape?, Journal of Adolescent Health (March 2022).

Devastating Consequences of Child Marriage

- Marriage before 18, the age of adulthood,⁹ creates a legal trap and complications. Minors before age 18 typically may not leave home,¹⁰ enter a domestic violence shelter,¹¹ retain an attorney,¹² seek a personal protection order,¹³ or even independently seek a marriage annulment.¹⁴ Marriage emancipates minors, but it brings only limited rights that arrive too late,¹⁵ after the minor has endured the trauma of forced marriage.
- Child marriage destroys girls' health, education, economic opportunities, and increases their risk of experiencing violence.¹⁶
- The U.S. State Department considers child marriage, marriage before 18, child abuse and a human rights violation.¹⁷
- Those who marry before 18 have a 70 to 80% chance of divorcing – and teen mothers who marry and then divorce are more likely to suffer economic deprivation and instability than teen mothers who stay single.¹⁸

Simple Legislative Solution

Pass HB4293-4302. Zonta International District 15 and its Michigan Clubs encourage you to end child marriage in Michigan; 18 no exceptions. Michigan can be a leader in this national and global movement as States and territories across the U.S., and countries around the world, are passing the same legislation to end this child abuse and human rights abuse. Learn more about the devastating consequences of child marriage here: www.unchainedatlast.org

Zonta District 15 engages in non-partisan advocacy to build a better world for women and girls. You can make a difference in the lives of children by ending child marriage. #18NoExceptions

Respectfully,

Zonta District 15 Governor, Cherie Johnson

Zonta District 15 Lt. Governor, Gail Johnson

Zonta District 15 Advocacy Committee:

- Denise Sylvester, Esq.,

- Reverend Barbara Swartzel

- Mari McKenzie, CPA, Past Zonta International Secretary/Treasurer,

⁹ MCL § 722.52.

¹⁰ A child under age 18 may not leave home. MCL §§ 712A.2(a)(2) &(3), 722.151. See also Reardon v. Midland Community Schools (E.D. Mich. Sept. 2, 2011).

¹¹ Domestic violence shelters across the U.S. typically do not accept unaccompanied minors.

¹² Contracts with children are voidable. Reynolds v. Garber-Buick Co., 183 Mich. 157, 162 (1914).

¹³ Children may not file suit on their own. MCL §§ 722.53, §722.4e; Michigan Court Rule 3.703(F)(2).

¹⁴ MCL §§ 552.34, 552.35.

¹⁵ MCL § 722.4a-4e. Note that a minor may commence a divorce action independently; however, a judge may require a next friend or guardian ad litem appointed. MCL § 551.251.

¹⁶ Fraidy Reiss, Why Can 12-Year-Olds Still Get Married in the United States, Washington Post (10 February 2017).

¹⁷ <https://travel.state.gov/content/travel/en/international-travel/emergencies/forced-marriage.html>

¹⁸ Vivian Hamilton, The Age of Marital Capacity: Reconsidering Recognition of Adolescent Marriage, William & Mary Law School Scholarship Repository (2012).

- Denise Quarles, Past District 15 Governor, Board Member of affiliate Greater Lansing United Nations Association
- Deanna Cambridge, Past District 15 Governor
- Anna Sylvester, Past District 15 Governor
- Amber Theriaut

Zonta International District 15 Clubs:

- Alpena
- Alpena-Tri County
- Benzie
- Big Rapids
- Charlevoix Area
- Detroit I
- Detroit II
- East Lansing
- E-Club of the Great Lakes
- Farmington-Novl
- Fenton
- Flint
- Iron Mountain – Kingsford
- Lenawee County
- Livingston County
- Ludington
- Marquette
- Metro Detroit
- Michigan Capitol Area
- Midland
- Milford
- Mount Pleasant
- Northwest Wayne
- Owosso
- Petoskey
- Pontiac North Oakland
- Rogers City
- Roscommon
- Saginaw
- Sault St. Marie Area
- Southfield Area
- Traverse City
- Troy- South Oakland