



Superior Court of the State of California County of Kings

Judicial Consent to Marry (underage marriage)

There is no fee for this packet.

When a couple wishes to marry, and at least one or both parties are under 18 years of age the following is required:

- a.) Each applicant must complete an **Application for Judicial Consent to Marry**.
- b.) California State Law (Family Code 302) requires that a written consent of the parent/legal guardian of each underage person. A **Consent to Marriage** giving your parent's consent must be signed by the parent/legal guardian. This consent shall be signed *in front of the Civil Investigator* unless other arrangements have been made with the Investigator.
- c.) California State Law (Family Code 302) requires a court order granting permission to the underage person to marry, an order shall be obtained after the court's review.
- d.) California State Law (Family Code 304) requires premarital counseling of such couple. This packet includes the form, **Declaration of Premarital Counseling**. Counseling can be done as follows:
 - a. through your church
 - b. through a private Licensed Marriage/Family/Child Counselor or
 - c. through a psychologist

The premarital counseling must be completed prior to the applications being filed with the court. The **Declaration of Premarital Counseling** will be completed by the person who performed the counseling. You will file the Declaration when you file the applications.

- e.) If there is a pregnancy involved: a written verification by a qualified physician must be submitted with the applications, which must include the anticipated due date of that fact. If there has been a child born from the relationship, a copy of the child's birth certificate must be provided with the applications.
- f.) A copy each applicant's birth certificate shall be provided, to verify the birthdates.
- g.) Each applicant will be evaluated by the Court's Civil Investigator before consideration is given to your consent to marry. Please be aware: these evaluations and judicial reviews usually take from four (4) to eight (8) weeks to complete.
 - a. Consent to marry will not be considered by the Civil Investigator until you have fulfilled the requirements for premarital counseling outlined above.
 - b. You need to be aware, however, if either applicant is under 14 years of age, there is the likelihood your request to marry will be denied. Special circumstances, however, will be considered.
 - c. The natural parent(s) of the minor who is under 18 years of age must accompany the couple to their first appointment with the Civil Investigator.

What is the court filing fee?

Each applicant must pay \$ 100.00 for a total of \$ 200.00

Please be aware of the following information:

You need to be aware that the purpose of this law and these procedures are to protect and help you in having the best start possible in your marriage. If the Civil Investigator recommends that you do not marry, a specific reason will be given to you. However, the Judge makes the final decision.

If both parties decide to cancel the process, prior to an order being signed by the Judge, a Request for Dismissal must be signed by both parties and filed with the court.

The following local forms are included in this packet:

Name of form:

Application for Judicial Consent to Marry (local form)

- each applicant must complete an Application
- two forms are provided in this packet

Declaration of Premarital Counseling (local form)

- this form is completed by the counselor (family code 304)

Copy, Assemble and File Your Forms

You must make copies of your original paperwork and assemble your documents prior to submitting them to the Clerk's Office.

How many copies do you make?

- ✓ make one copy for yourself
- ✓ make one copy for the other applicant

If a form has writing on both sides:

- ✓ use two separate pages to copy the 2-sided form **or**
- ✓ copy the 2-sided form (as presented in the packet provided by the court)
- ✓ all 2-sided copies must be "tumbled" or they will be rejected.

How do I assemble and hole punch my forms?

- ✓ Each *form*, to be filed, that has multiple pages and/or attachments must be *stapled*.
- ✓ Each original form must be two-hole punched at the top.

Where can I file my paperwork?

Kings County has four Superior Court locations:

- ❖ **AVENAL**-501 E. Kings Street, Avenal, CA 93204 (559) 386-5225
- ❖ **CORCORAN**- 1000 Chittenden Avenue, Corcoran, CA 93212 (559) 992-5193
- ❖ **HANFORD**- 1426 South Drive, Hanford, CA 93230 (559) 582-1010
- ❖ **LEMOORE**- 449 "C" Street, Lemoore, CA 93245 (559) 924-7757

Hours of Operation:

Business Days: Monday – Friday

Except for **Court Closure days and Holidays**

Business Hours: 8:00 a.m. to 4:00 p.m.