



<b>Cover Sheet:</b>	<b>Underage Marriage or Domestic Partnership Permission</b>
<b>Effective Date:</b>	April 15, 2019
<b>Last Revision Date:</b>	October 29, 2020
<b>Purpose:</b>	Any person under age 18 must seek an order from the Court granting permission to marry before obtaining a marriage license. This packet contains the forms necessary to request the order.
<b>Assistance:</b>	If you are unable to complete the forms on your own, you may wish to hire a private attorney. If you need help finding an attorney, please contact the State Bar of California at <a href="http://www.calbar.ca.gov">www.calbar.ca.gov</a> or the Sacramento County Bar Association at <a href="http://www.sacbar.org">www.sacbar.org</a> .
<b>Required Forms:</b>	All forms are Judicial Council forms, unless otherwise indicated: <ul style="list-style-type: none"><li>• Request of Minor to Marry or Establish a Domestic Partnership, FL-910</li><li>• Order on Request of Minor to Marry or Establish a Domestic Partnership, FL-915</li><li>• Consent for Minor to Marry or Establish Domestic Partnership, FL-912</li></ul>
<b>Filing Fee:</b>	There is a \$435 fee to file these documents. The current fee schedule may be found on the Court's website at: <a href="https://www.saccourt.ca.gov/fees/docs/fee-schedule.pdf">https://www.saccourt.ca.gov/fees/docs/fee-schedule.pdf</a> .
<b>Copies:</b>	Make one copy of the completed forms. The Court will file and keep the original and will endorse and return the copy to you.
<b>Before You File:</b>	In addition to the completed forms, you must submit the following additional documents: <ul style="list-style-type: none"><li>• Certified copy of the birth certificate of minor requesting permission to marry.</li><li>• Two copies of picture identification.</li><li>• Written, notarized consent from the minor's parents or legal guardian</li><li>• If the minor is employed, a letter from the employer regarding salary, work habits and length of employment.</li><li>• If the minor has obtained pre-marital counseling, a letter of verification from the counselor indicating time spent in counseling and content of the session(s).</li><li>• If the minor is under guardianship, a certified copy of a court order verifying the guardianship.</li><li>• If the minor is a dependent or ward of the Court, a Juvenile Court order giving Family Court Services permission to</li></ul>



	interview the minor.
<b>Filing:</b>	All forms must be typewritten or printed in blue or black ink. (See California Rules of Court, Rules 2.100-2.119) Mail or place completed forms in the court drop-box located at the Family Court at 3341 Power Inn Road, Sacramento, CA 95826. Drop box hours are 8:00 am to 5:00 pm Monday through Friday, excluding Court holidays.
<b>Next Steps:</b>	Except for persons 17 years who possess a high school diploma or equivalency certificate, an interview with staff from Family Court Services will be scheduled. Notice will be sent to the minors and parents or guardians of this appointment. After the applicants and the minor's parent(s) or guardian are interviewed, information and a recommendation will be forwarded to a judge for review. A judge will determine if permission to marry will be granted or denied. If a hearing is needed, you will be notified of the date, time and department. A copy of the order will be mailed to you once the judge has made a decision.

Clerk stamps date here when form is filed.

**1 Minor Requesting Court Order**

Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Gender (Optional):  Male  Female  Nonbinary  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone number: \_\_\_\_\_

**2 Minor's Proposed Spouse or Domestic Partner**

Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Gender (Optional):  Male  Female  Nonbinary  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone number: \_\_\_\_\_

**3 Your Lawyer's Information (if you have a lawyer):**

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
Firm Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Fill in court name and street address:  
**Superior Court of California, County of**

Court fills in case number when form is filed:  
**Case Number:**

**4 Request** We request that the court grant us permission to  marry  establish a domestic partnership.

**5 Minor's Age and Education**

- a. Is the person in **1** 17 years of age?  Yes  No
- b. Does the person in **1** have a high school diploma or a high school equivalency certificate?  Yes  No
- c. Is the person in **2** a minor?  Yes  No Is the person in **2** 17 years of age?  Yes  No
- d. Does the person in **2** have a high school diploma or a high school equivalency certificate?  Yes  No

**6 Written Consent**

*Unless the minor has no parent or guardian with the legal authority to consent (or capable of consenting), each person under 18 years of age must file with the request the written consent of a parent with legal authority or a legal guardian for the minor to marry or establish a domestic partnership. Form FL-912 may be used for this purpose.*

**Person in 1** (Check all that apply and specify name of the parent with legal authority or legal guardian):

- a.  Parent with legal authority  Legal guardian (specify name): \_\_\_\_\_
- b.  Parent with legal authority  Legal guardian (specify name): \_\_\_\_\_
- c.  Parent with legal authority  Legal guardian (specify name): \_\_\_\_\_
- d.  I am a minor, but have no parent, parent capable of consenting, or legal guardian.

**Person in 2** (Check all that apply and specify name of the parent with legal authority or legal guardian):

- a.  Parent with legal authority  Legal guardian (specify name): \_\_\_\_\_
- b.  Parent with legal authority  Legal guardian (specify name): \_\_\_\_\_
- c.  Parent with legal authority  Legal guardian (specify name): \_\_\_\_\_
- d.  I am  not a minor  a minor, but have no parent, parent capable of consenting, or legal guardian.



7 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_



Person in 1 signs here

Date: \_\_\_\_\_



Person in 2 signs here

When you file this request, the court must determine whether to grant permission for you to marry or establish a domestic partnership.

1. Unless the minor is 17 years of age and has achieved a high school diploma or high school equivalency certificate, the law requires that all of the following be completed before the court can make a decision in your case:

a. Family Court Services must:

- (1) Interview the parties separately.
(2) Interview at least one of the parents or the guardians of each party who is a minor if the minor has a parent or guardian who has legal authority to consent to the minor's intended marriage or domestic partnership.

If the minor has more than one parent or guardian with legal authority, Family Court Services must interview them separately.

- (3) Prepare a written report based on the information collected from the interviews and give it to the court.

b. The judge must:

- (1) Review the report and recommendations written by Family Court Services;
(2) Interview each of the parties separately and privately; and
(3) Make an order on the request to marry or establish a domestic partnership.

2. Court order

The court will make an order on the party's request using Order and Notices to Minor on Request to Marry or Establish a Domestic Partnership (form FL-915). Important notices are included with the order. You may want to review the notices before you file the request.

3. Order for counseling

If the court considers it necessary, and the court determines that the parties can afford it, the law allows the judge to require the parties to participate in counseling before obtaining a marriage license or establishing a domestic partnership. As to this order:

- a. The counseling must relate to the social, economic, and personal responsibilities incident to marriage or domestic partnership.
b. The court must consider, among other factors, the ability of the parties to pay for counseling before ordering the parties to attend counseling.
c. The court cannot order the parties to participate in counseling that is provided by religious organizations of any denomination.
d. The court may require the parties to pay a reasonable fee to cover the cost of any counseling provided by the county or the court.

4. Data collection

Gender: Parties are not required to specify their gender on form FL-910. If the parties volunteer this information, the court must include it in the order.

Age: The parties must specify their ages on form FL-910. By law, the court order must include this information in the order.

The judge does not use the age and gender information in form FL-910 to decide whether to grant the request.

The parties' ages are reported to the State Registrar or the Secretary of State to allow them to document and update each year the number of recorded marriages and domestic partnerships in which one or both of the parties were minors at the time the parties married or registered the domestic partnership.

**Order and Notices to Minor on Request to Marry or Establish a Domestic Partnership**

Clerk stamps date here when form is filed.

**1 Minor Requesting Court Order**

Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Gender:  Male  Female  Nonbinary  Not provided  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone number: \_\_\_\_\_

**2 Minor's Proposed Spouse or Domestic Partner**

Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
Gender:  Male  Female  Nonbinary  Not provided  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone number: \_\_\_\_\_

Fill in court name and street address:  
**Superior Court of California, County of**

**3 Lawyer's Information (If parties have a lawyer):**

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
Firm Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone number: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Court fills in case number when form is filed.  
**Case Number:**

**4 Review.** The court has considered:

- a. The request of minor to  marry  establish a domestic partnership
- b.  The written consent from each minor's parent with legal authority or legal guardian.
- c.  The written report submitted to the court by Family Court Services.
- d.  The court's own separate and private interview of the parties.  
*4c and 4d do not apply if the minor is 17 years of age and has achieved a high school diploma or a high school equivalency certificate.*
- e.  The ability of the parties to pay for counseling.
- f.  Other (specify): \_\_\_\_\_

**5 Findings.** The court makes the following findings:

- a. There  is  is no evidence of force, threat, persuasion, fraud, coercion, or duress on the minor relating to the intended marriage or domestic partnership.
- b.  The minor in  ①  ② does not have a parent, a parent capable of consenting, or a legal guardian.
- c.  This couple  has  does not have the ability to pay for premarital or prepartnership counseling.
- d.  Other (specify): \_\_\_\_\_

**6 Hearing Required**

The court is considering whether it is in the best interest of the person or persons under 18 years of age to marry or establish a domestic partnership at this time. The matter is scheduled for a hearing on

**Hearing Date** Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.  
Dept./Rm. or Address: \_\_\_\_\_

**This is a Court Order.**



**7 The court makes the following orders:**

- a.  This couple may get married if they meet all other requirements to get a marriage license.
- b.  This couple may establish a domestic partnership if they meet all other requirements to file a Declaration for Domestic Partnership with the Secretary of State.
- c.  After considering the ability of the couple to pay for counseling, the court orders that this couple must go to counseling to learn about the social, economic, and personal responsibilities of being in a marriage or domestic partnership.
  - This couple must show a certificate of completion of counseling before permission is granted.
- d.  This couple may not get married or establish a domestic partnership at this time.
- e.  Other (*specify*):

**8  Other (*specify*):**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*

**What to do with this order.**

- 1 File it with the court.** This order must be filed with the clerk of the court where your case is filed.
- 2 Get certified copies.** Make copies of the signed order and ask the clerk of the court where your case is filed to certify the copies.
- 3 Apply for the license to marry or register a domestic partnership.**  
For marriages, present a certified copy of the order to the county clerk at the time you apply for the marriage license. For domestic partnerships, present the certified copy of the order to the Secretary of State (with the Declaration of Domestic Partnership) at the time the domestic partnership is registered.
- 4 Keep copies.** Keep copies of the order and other documents for your records.

**Is there a waiting period before we can request a marriage license or file a declaration of domestic partnership?**

- YES**  
The parties **MUST** wait 30 days from the date the court made the order granting permission to marry or establish a domestic partnership before filing a marriage license or filing a declaration of domestic partnership.
- NO**  
There is **NO** waiting period if a minor in the relationship is:  
17 years of age and has a high school diploma or a high school equivalency certificate.  
  
**OR**  
16 or 17 years of age and is pregnant or whose prospective spouse or domestic partner is pregnant.

**This is a Court Order.**

**1 Where to get help**

This notice gives you only basic information and is not legal advice. If you want legal advice, ask a lawyer for help. You may:

- Contact the family law facilitator or self-help center in your court for information, court forms, and referrals to local legal resources. For more information, see [courts.ca.gov/courtresources](http://courts.ca.gov/courtresources).
- Find a lawyer through a certified lawyer referral service on the State Bar of California's website: [www.calbar.ca.gov/LRS](http://www.calbar.ca.gov/LRS) or by calling 866-442-2529 (toll-free).
- Hire a private mediator. For more information about court and private services, see [www.courts.ca.gov/selfhelp-adr.htm](http://www.courts.ca.gov/selfhelp-adr.htm).
- Find information on the California Courts Online Self-Help Center website: [www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp).
- Find free and low-cost legal help (if you qualify) at [www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org).
- Find information at your local law library or public library.

**National Domestic Violence Hotline**  
 For a referral to a local domestic violence or legal assistance program, call the National Domestic Violence Hotline at:  
  
 1-800-799-7233 (TDD: 1-800-787-3224).  
  
 It's free and private. Help is available in over 100 languages.

**National Sexual Assault Hotline**  
 Anyone affected by sexual assault, whether it happened to you or someone you care about, can find support by contacting the National Sexual Assault Hotline at:  
  
 1-800-656.HOPE (4673).  
  
 You can also visit \_\_\_\_\_ to receive online support by confidential online chat.

**2 What it means to be an emancipated minor**

If you are under the age of 18 years and have an order allowing you to marry or register a domestic partnership, you are considered to be an emancipated minor when you have entered into a valid marriage or domestic partnership.

When you are emancipated, you are no longer under the care and control of your parents or legal guardian. If you are a dependent or ward of the juvenile court, your legal status also changes when you are emancipated. This affects certain rights relating to you and your parents or legal guardians. For example:

- You give up the right to financial support from your parents or legal guardians.
- Your parents or legal guardians lose the right to control your finances, and they are no longer required to support you.

**3 Rights of an emancipated minor**

As specified in Family Code sections 7050 through 7052, as an emancipated minor you have the right to:

- Decide where you want to live;
- Enroll yourself in school;
- Apply for a work permit;
- Make or revoke a will;
- Keep the money you earn;
- Decide how to spend the money you earn;
- Enter into contracts, get a bank loan or credit card;
- File a lawsuit or be sued in your own name;
- Consent to your own medical, dental, and psychiatric care; and
- Buy, sell, lease, exchange, or transfer any interest you have in real estate or personal property.

#### 4 Other rights of an emancipated minor

With respect to shares of stock in a domestic or foreign corporation, a membership in a nonprofit corporation, or other property held by an emancipated minor, you may do all of the following:

- Vote in person, and give proxies to exercise any voting rights, with respect to the shares, membership, or property;
- Waive notice of any meeting or give consent to the holding of any meeting; and
- Authorize, ratify, approve, and affirm any action that could be taken by shareholders, members, or property owners.

#### 5 Limits on the rights of an emancipated minor

Even if you have been declared an emancipated minor:

- You must still attend school as required by law.
- If you are charged with a crime, your case will be in the Juvenile Court.
- Labor laws relating to minors still apply to you and prevent you from performing dangerous kinds of work.
- You must still meet the age requirements in California for obtaining a driver's license.
- You cannot consent to sexual intercourse with anyone who is not your legal spouse or domestic partner. This means that any other adult who has sex with an emancipated minor can still be prosecuted for unlawful sexual intercourse with a minor.

#### 6 Alternatives to emancipation

As an alternative to emancipation, you can consider:

- Family counseling to help improve your relationship with your parents while living with them.
- Obtaining an order to make someone you trust your legal guardian until you become 18 years old.
- Getting help from public or private agencies in your area.
- Making an informal agreement with your parents that allows you to live with someone else. Note: The law allows the caregiver to enroll you in school and obtain basic medical care for you by completing a Caregiver's Authorization Affidavit, even if the caregiver does not have a court order for child custody. The affidavit can be found online at <http://www.courts.ca.gov/documents/caregiver.pdf>

#### 7 Rights of *unemancipated* minors

A minor who is 12 years or older may file for a domestic violence restraining order in the minor's own name.

A minor may consent to the matters provided in Family Code sections 6920 to 6930, subject to certain limitations, and the consent of the minor's parent or legal guardian is not necessary. For example:

*Mental health treatment, outpatient counseling, emergency residential shelter service*

A minor who is 12 years of age or older may consent to mental health treatment or counseling on an outpatient basis, or to residential shelter services or other supportive services on a temporary or emergency basis. Both of the following requirements must be satisfied:

- (1) The minor, in the opinion of the attending professional person, is mature enough to participate intelligently in the outpatient services or residential shelter services.
- (2) The minor (A) would present a danger of physical or mental harm to self or to others without the mental health treatment or counseling or residential shelter services, or (B) is the alleged victim of incest or child abuse.

*Other rights*

- (1) A minor who is 12 years of age or older may consent to medical care and counseling relating to the diagnosis and treatment of a drug- or alcohol-related problem, prevention of a sexually transmitted disease, or prevention or treatment of pregnancy.
- (2) A minor may make a contract in the same manner as an adult. However, the contract can be disaffirmed if the law so permits.
- (3) Minors may never (A) give a delegation of power (B) contract relating to real property, or (C) contract relating to personal property not within the minor's immediate possession or control.



## 8 Annulments: void marriage or domestic partnership

The law describes circumstances in which a marriage or domestic partnership is void (not legally valid) from the very beginning.

*Bigamous relationship:* One or both people are already married to (or in a registered domestic partnership with) someone else. For more information, see Family Code section 2201.

*Incestuous relationship:* This is a marriage or partnership between two people who are close blood relatives. See Family Code section 2200.

## 9 Annulments: voidable marriage or domestic partnership

Family Code section 2210 describes circumstances in which a marriage or domestic partnership can be declared invalid (or voidable). The following must have taken place at the time the parties married or registered the domestic partnership:

*Under age:* The person filing for annulment was under 18 years old.

*Unsound mind:* Either party was unable to understand the nature of the marriage or domestic partnership, including the obligations that come with it.

*Fraud:* Either party decided to marry or register the domestic partnership as a result of fraud. The party was deceived about something vital to the relationship that directly affected the decision to marry or become a domestic partner. Some examples are hiding the inability to have children or just wanting to get a green card.

*Force:* Either party was forced to consent.

*Physical incapacity:* One of the parties was physically incapable of "consummating" the relationship (having sexual intercourse) and the incapacity appears to be "incurable."

*Prior existing marriage or domestic partnership:* The marriage or domestic partnership took place after the former spouse or domestic partner was absent for five years and not known to be living, or was thought to be dead.

Note: See Family Code section 2211 for the time limits for filing to nullify a voidable legal relationship.

## 10 How to annul a marriage or domestic partnership

There are a number of forms and steps to complete when filing for annulment. For information and procedures for filing and responding to an annulment case that is filed in family court, you can:

- Visit the California Courts Online Self-Help Center at [www.courts.ca.gov/1037.htm#legal](http://www.courts.ca.gov/1037.htm#legal).
- Talk to a lawyer. For help finding a lawyer, go to [www.courts.ca.gov/selfhelp-findlawyer.htm](http://www.courts.ca.gov/selfhelp-findlawyer.htm).
- Visit your local court's self-help center at [www.courts.ca.gov/selfhelp-selfhelpcenters.htm](http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm).

## 11 How to end a marriage, domestic partnership, or both

*Dissolution (Divorce):* A divorce judgment ends your marriage or domestic partnership, or both. You will be legally a single person again. In a divorce case you can ask the judge to make orders about parenting issues, child support, spousal or partner support, and dividing property and debts.

*Legal Separation:* A legal separation does not end a marriage or domestic partnership. A couple may decide to file for legal separation instead of a divorce for religious reasons, financial reasons, or because they just want to live apart and have court orders about money, property, and parenting issues.

For information about divorce and legal separation, including the procedures for filing in family court go to [www.courts.ca.gov/selfhelp-divorce.htm](http://www.courts.ca.gov/selfhelp-divorce.htm).

Read *Legal Steps for a Divorce or Legal Separation* (form FL-107-INFO). This form can be found online at [www.courts.ca.gov/documents/fl107info.pdf](http://www.courts.ca.gov/documents/fl107info.pdf).

*Summary Dissolution:* This type of action is available for couples who have been married or domestic partners for less than five years, do not have children together, do not seek an order for support, do not own real estate or land, and have limited debts and property. For more information, go to:

- <http://www.courts.ca.gov/1241.htm>;
- <http://www.courts.ca.gov/1242.htm>; and
- <http://www.courts.ca.gov/16430.htm>.

Clerk stamps date here when form is filed.

**1 Minor Requesting Court Order**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone number: \_\_\_\_\_

**2 Minor's Proposed Spouse or Domestic Partner**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone number: \_\_\_\_\_

**3 Minor's Parent With Legal Authority or Legal Guardian**

Name: \_\_\_\_\_  
 I am the (check one):  parent with legal authority  legal guardian  
 of the minor in (check one):  ①  ②.  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone number: \_\_\_\_\_

*Use a separate form FL-912 for each parent with legal authority or legal guardian who is giving written consent to the minor's intended marriage or domestic partnership.*

**4 Consent**

- a. I consent to my child's intended (check one):  marriage  domestic partnership.
- b. I understand that Family Court Services may be required to interview me before the court makes an order in this case. I authorize Family Court Services to contact me using the information provided in ③.
- c.  Other (specify): \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed:

**Case Number:**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_


 \_\_\_\_\_  
 Person in ③ signs here