



2021 Report on Child Marriage in the United States A National Overview of Child Marriage Data and Law

January 13, 2022

Lead Author: Professor Marci A. Hamilton, Esq.
Founder & CEO, CHILD USA
Professor, Fels Institute of Government
University of Pennsylvania
mhamilton@childusa.org
(215) 539-1906

Contributing Authors: Alice Bohn, Esq., Legal Director
Carina Nixon, Esq., Staff Attorney
Andrew Ortiz, MSSP, Social Science Researcher

CHILD USA is the leading nonprofit think tank working to end child abuse and neglect in the United States. CHILD USA engages in high-level legal, social science, and medical research and analysis to derive the best public policies to end child abuse and neglect. Distinct from the many organizations engaged in direct service, CHILD USA produces evidence-based solutions and information needed by policymakers, organizations, media, and society to increase child protection and the common good. Our goal is to help millions of children at a time.

© 2022 CHILD USA



Table of Contents

I.	Introduction: An Overview of Child Marriage	5
A.	The Global Prevalence of Child Marriage	5
B.	The Prevalence of Child Marriage in the United States	5
C.	Negative Consequences of Child Marriage	6
D.	A Brief Summary of International Child Marriage Law	8
E.	Child Marriage Law in the United States	10
II.	State-by-State Overview of Child Marriage Laws.....	13
	Alabama	13
	Alaska	14
	Arizona.....	14
	Arkansas.....	14
	California	14
	Colorado.....	14
	Connecticut	15
	Delaware	15
	Florida.....	15
	Georgia.....	15
	Hawaii.....	16
	Idaho	16
	Illinois	16
	Indiana.....	16
	Iowa.....	16
	Kansas	17
	Kentucky.....	17
	Louisiana.....	17
	Maine	17
	Maryland.....	18
	Massachusetts	18
	Michigan	18
	Minnesota.....	18
	Mississippi	18

Missouri	19
Montana	19
Nebraska	19
Nevada	19
New Hampshire	20
New Jersey	20
New Mexico.....	20
New York.....	20
North Carolina	21
North Dakota.....	21
Ohio.....	21
Oklahoma.....	21
Oregon.....	21
Pennsylvania	22
Rhode Island	22
South Carolina	22
South Dakota.....	22
Tennessee.....	22
Texas.....	22
Utah.....	23
Vermont	23
Virginia	23
Washington	23
West Virginia.....	23
Wisconsin.....	24
Wyoming.....	24
Washington, D.C.....	24
American Samoa.....	24
Guam & Northern Mariana Islands.....	24
Puerto Rico.....	25
U.S. Virgin Islands.....	25
III. How They Measure Up.....	25

IV. Conclusion 26

I. Introduction: An Overview of Child Marriage¹

A. The Global Prevalence of Child Marriage

Today, the global rates of child marriage are high. According to UNICEF, twelve million girls, or one in five, are married before their eighteenth birthday every year.² Around the world, approximately 650 million women and girls alive today were married before they turned eighteen.³ For males, a study analyzing data from eighty-two countries found that approximately one in thirty boys are married as children.⁴ UNICEF estimates that 115 million boys and men alive today were married before they turned eighteen.⁵ This brings the present-day, worldwide total number of child brides and grooms to 765 million.

Various factors contribute to the high prevalence of child marriage across the globe. The most persistent drivers include gender inequality,⁶ poverty,⁷ social norms and traditions,⁸ and national insecurity.⁹ More recently, the COVID-19 pandemic has also significantly affected occurrences of child marriage worldwide.¹⁰

B. The Prevalence of Child Marriage in the United States

In the United States, child marriage is a pervasive issue with devastating domestic consequences. Between 2000 and 2018, almost 300,000 children were married in the United States alone¹¹—an average of **forty-five child marriages per day**.¹² Of those marriages, an estimated 60,000 occurred “at an age or spousal age difference that should have been considered a sex crime.”¹³ A 2021 study analyzing marriage certificate data from all fifty states found that approximately 86% of these underage marriages involved girls and 14% involved boys.¹⁴ While the general public often assumes that child marriage is an issue that does not pertain to America, it is widespread across the country today.

C. Negative Consequences of Child Marriage

Child marriage triggers severe negative effects for its victims, their subsequent offspring, and society as a whole. These consequences include death, serious health issues, violence, and slower economic and social development.

The risk of death spikes for victims of child marriage because, in many areas that practice child marriage, there is an expectation that the child bride will quickly produce offspring.¹⁵ According to the World Health Organization, the worldwide leading cause of death for girls between the ages of fifteen and nineteen is complications from pregnancy and childbirth.¹⁶ Moreover, girls aged fifteen to nineteen are “twice as likely to die in childbirth as mothers aged twenty and older.”¹⁷

In addition to the increased risk of death, child mothers face heightened risks of suffering serious health conditions like obstetric fistula, which is a debilitating condition that can cause incontinence in the mother and the death of the baby within the first week of its life.¹⁸ Adolescent mothers are also more susceptible to eclampsia, puerperal endometritis, and systemic infections.¹⁹ Life-threatening health effects also plague infants and children born out of child marriages; stillbirths and newborn deaths are higher among offspring of child mothers than offspring of mothers between the ages of twenty and twenty-nine.²⁰

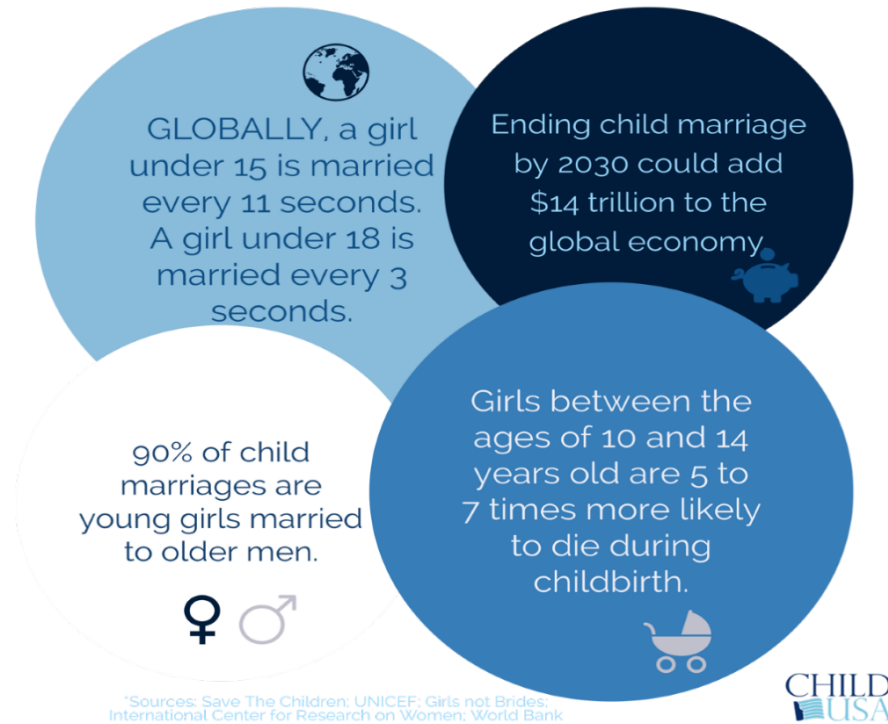
Moreover, sexually transmitted infections and diseases pose a significant threat to child brides.²¹ In the case of HIV/AIDS, many of the risk factors for contracting HIV, such as “early sexual onset, unsafe sex, age-disparate relationships, low educational attainment, limited access to information and services, social isolation, and experience of intimate partner violence,” typically occur at higher rates in child marriages than in adult marriages.²² Indeed, child brides

who are married under the age of fifteen are “almost 50% more likely to have experienced either physical or sexual intimate partner violence” than girls who are married after they reach eighteen.²³ The United States does not escape these effects; studies show that victims of child marriage are acutely vulnerable to higher rates of psychiatric disorders²⁴ as well as physical, emotional, or verbal abuse.²⁵

Child marriage also results in developmental consequences that bear social and economic costs. For instance, victims of child marriage face increased educational obstacles that impact the rest of their lives.²⁶ In some nations, “there is evidence of almost a binary option of either going to school or getting married early.”²⁷ Girls in the United States who marry before the age of nineteen are 50% more likely to drop out of high school and four times less likely to graduate from college.²⁸ As a result, girls who enter marriage at a young age are significantly less likely to receive education and the countless, life-changing benefits that follow, including fewer child births, increased lifetime earnings, improved household income, reduced likelihood of experiencing intimate partner violence, and increased decision-making ability.²⁹ Thus, diminished educational attainment for girls due to child marriage further entrenches gender inequality. In fact, a 2006 study found that eliminating child marriage and early pregnancies could potentially reduce the gender gap in education by about half.³⁰

There is also a larger economic impact: reduced female earnings combined with the extreme fertility and population growth resulting from child marriage has a ripple effect that impacts the global economy and the intergenerational transmission of poverty.³¹ Research shows that “if child marriage had ended in 2015, the global economy could have saved \$566 billion by 2030.”³² In the United States, between 70% and 80% of marriages involving a child end in divorce, and child marriage followed by divorce doubles the likelihood that child mothers will descend into

poverty.³³ Consequently, in addition to being a dire social issue, child marriage is a deeply economic one, carrying tremendous intergenerational and societal costs.³⁴



D. A Brief Summary of International Child Marriage Law

The international community has condemned child marriage, with the United Nations (“UN”) making an active effort to limit its occurrence worldwide. In 1979 and 1989, the UN passed two international treaties that were foundational in establishing child marriage as a violation of human rights: The Convention on the Elimination of Discrimination against Women (“CEDAW”)³⁵ and the Convention on the Rights of the Child (“CRC”),³⁶ respectively. The CRC, considered one of the most universally endorsed and ratified treaties in history, defined all humans below the age of eighteen as children.³⁷ Together, these conventions internationally denounce the practice of child marriage.

In 2015, the UN Sustainable Development Goals (“SDGs”)—a set of goals considered to be “the crowning achievement of the development agenda”—went further and highlighted child marriage as a threat to global development.³⁸ The SDGs incorporated the primary aims of both the CRC and the CEDAW and called for the elimination of “all harmful practices, such as child, early and forced marriage and female genital mutilations.” This call to action is ongoing; in 2014, 2016, 2018, and 2020, the UN General Assembly passed four separate resolutions calling for UN Member States to strengthen and accelerate action to address child, early and forced marriage.³⁹

Despite international efforts to end child marriage, cultural and religious exemptions to child marriage laws facilitate its continuation. Many countries allow exceptions to minimum marital ages when there is parental consent, court authorization, or customary or religious laws that take precedence over national law.⁴⁰ Most of these exceptions reflect deeply rooted gender inequality, a dynamic that makes child marriage disproportionately harm girls and women. Such inequality is evidenced in a report by the World Policy Analysis Center; it found that ninety-three countries legally allow girls to marry before the age of eighteen and fifty-four countries allow girls to marry one to three years younger than boys.⁴¹

Religion is often raised as a reason to allow child marriages, even though the UN Population Fund asserts that “there are no major religious traditions that require child marriage,” and “it would be wrong to say that child marriage warrants protection as a cultural or religious practice.”⁴² Nevertheless, in some countries, religious affiliation acts as an exception to the national age requirements for marriage. For example, in the Philippines, the national minimum age to marry is twenty-one, but exceptions exist for Muslim boys, who can marry at fifteen, and Muslim girls, who can marry at puberty.⁴³ Religious and cultural exemptions to marital age of

not ratified the CEDAW.⁴⁷ On the national level, there is no federal law banning child marriage; as a result, it is governed by the States under the federalist legal structure.

State autonomy over the issue of child marriage means that America lacks nationwide consensus regarding proper and effective child marriage laws. This decentralized system creates a legal framework in which certain states strongly protect against child marriage while others maintain lax laws that facilitate the practice. For instance, state laws vary widely on the legal minimum age for marriage. Delaware, New Jersey, Minnesota, New York, Pennsylvania, and Rhode Island have banned child marriage by establishing a minimum marriage age of eighteen,⁴⁸ while states with more lenient laws—such as Maryland, Missouri, New Mexico, North Carolina, and Oklahoma—approve marriages involving children under the age of eighteen.⁴⁹ This disparity produces “destination” states for child marriage.⁵⁰ Missouri has historically been one such destination, with evidence of individuals crossing state lines to marry fifteen-year-old brides; some travel to Missouri from as far off as Oregon, Idaho, Utah, and Florida.⁵¹

In the absence of a federal prohibition against child marriage, most state laws still offer avenues through which child marriage persists. Indeed, state child marriage laws are fraught with legal loopholes; while many states set the age floor for marriage at eighteen, there are an array of exceptions to this rule that “can in effect drop the true minimum marriage age much lower.”⁵² Common loopholes include parental consent, judicial approval, and lack of official proof of age and residency requirements.⁵³

i. Parental Consent and Judicial Approval

Two of the most pervasive exceptions to the marriage age floor are parental consent and judicial approval. The majority of states facilitate marriages for children aged sixteen to

eighteen “based on parental consent alone.”⁵⁴ Parental consent exceptions “pose one of the greatest concerns with respect to forced marriages, since parental consent can so easily equal parental coercion.”⁵⁵ Yet, consent by at least one parent is often enough to acquire a marriage license for a child.⁵⁶

Even when parental consent alone is not enough to authorize a child marriage, it often drives the outcome in judicial approval processes instead of the minor’s own wishes.⁵⁷ Assigning judges the responsibility for approving adolescent marriages can indeed be problematic. In many states, judicial approval is required only in cases involving minors younger than sixteen years old.⁵⁸ While the judicial approval process in these cases may be quite rigorous, the “fact that a judge is only involved for certain younger children weakens the state’s minimum marriage age laws as a whole.”⁵⁹ For instance, if a state’s age floor is codified at eighteen but judicial scrutiny is only triggered for marriages involving fifteen-year-olds, then most marriages for sixteen and seventeen-year-olds will be approved quite easily. Thus, the only age floor that is actually enforced is set at fifteen.⁶⁰

Further, some states assign minor marriage petitions to judges in generalist courts who “cannot be expected to be attuned to coercive control or other dynamics of family and intimate partner violence.”⁶¹ This is because generalist judges often lack the experience, training, and resources needed to conduct sufficiently diligent inquiries that are necessary to properly evaluate child marriage cases or detect forced marriage.⁶² Sometimes, judges even treat pregnancy as proof that marriage would be in the child’s best interests.⁶³ Unfortunately, pregnancy in these cases often indicates that the child was abused by the intended spouse or is being forced into the marriage by their parents.⁶⁴

Due to inattentiveness, inexperience, or being motivated by factors other than the wellbeing of the child, parental and judicial consent to child marriage can place children in danger.

ii. Proof of Age and Residency Requirements

Age floors can also be easily circumvented in states that lack proof of age requirements for marriage. Marriage license data shows that impermissibly young children have been married in states where they were not required to prove their age with official documents.⁶⁵ In fact, **only seventeen states strictly require official proof of age for all marriage applicants.**⁶⁶

Additionally, state laws that lack residency requirements allow individuals to sidestep their own state's strong age protections simply by crossing into a state with lax ones.

Without a national minimum marriage age, many states can issue a child of *any age* a marriage license as long as its own state law exceptions are met.⁶⁷ As a result, state laws that (1) set marriage age floors at eighteen-years-old *with no exceptions*; and (2) require *all* marriage license applicants to provide official proof of their age, *regardless of how old they appear*, would most effectively prevent child marriage in the United States.

II. State-by-State Overview of Child Marriage Laws

Alabama

Since 2000, Alabama has had the ninth highest number of total child marriages in the nation and the eighth highest number of child marriages per capita.⁶⁸ Between 2000 and 2018, Alabama permitted approximately 9,166 child marriages, including the marriage of a fourteen-year-old girl to a seventy-four-year-old man.⁶⁹ While Alabama raised the minimum marriage age from fourteen to sixteen in 2003, child marriages still account for almost 5% of all marriages in the state.⁷⁰ In Alabama, a child under sixteen cannot enter into a marriage under any circumstances, including pregnancy.⁷¹ Sixteen and seventeen-year-old minors are permitted to marry in Alabama with the consent of a parent or guardian.⁷² However, Alabama marriage clerks do not always require official proof of age, and clerks may also issue marriage licenses to minors from out of state.⁷³ Overall, on a scale of 1–5, where 1 is the worst and 5 is the best (with an average score of 2.62 across all fifty-six States and United States Territories),⁷⁴ Alabama ranks as a 2.

Alaska

Alaska permits a child to marry at age sixteen or seventeen with parental consent.⁷⁵ Official proof of age is not always required, and clerks can approve marriages for out-of-state minors.⁷⁶ Children as young as fourteen can marry if a judge determines the marriage to be in the “best interests” of the minor and there is parental consent, the parents are “unreasonably” withholding consent, or the parents are unable to give consent for some other reason.⁷⁷ However, the judges approving these marriages are not required to have special knowledge of Family Law or juvenile matters.⁷⁸ On the scale of 1–5, Alaska ranks as a 2.

Arizona

Arizona updated its child marriage law in 2018, which now completely bans marriage for children below the age of sixteen.⁷⁹ The law does permit sixteen and seventeen-year-olds to marry, but only if they are emancipated or have parental consent.⁸⁰ Arizona law also requires there be an age difference of no more than three years between the intended spouses if one party is a minor.⁸¹ Nevertheless, official proof of age and residency are not always required.⁸² On the scale of 1–5, Arizona ranks as a 2.

Arkansas

In April 2019, Arkansas Governor Asa Hutchinson signed into law a bill that banned marriage for persons under age seventeen except for applicants that are at least sixteen and pregnant.⁸³ To qualify for the pregnancy exception, parties must provide proof of the pregnancy, proof of age, and parental consent.⁸⁴ If the underage child has already given birth, the court may still authorize the marriage after receiving official proof of age and parental consent if it believes the marriage would be in the “best interests” of the parties.⁸⁵ Arkansas does not require official proof of age or residency for marriage applications.⁸⁶ On the scale of 1–5, Arkansas ranks as a 2.

California

Between 2000 and 2018, California realized the second highest number of child marriages in the country with 23,588.⁸⁷ In 2018, California state Senator Jerry Hill drafted a bill aimed at prohibiting marriage for all minors.⁸⁸ The legislation passed and went into effect on January 1, 2019, but the law still allows any person under the age of eighteen to marry with a court order and the consent of at least one parent.⁸⁹ To obtain the court order, both parties must undergo interviews by Family Court Services, and, in some cases, attend premarital counseling.⁹⁰ The court is also required to consider “whether there is evidence of coercion or undue influence on the minor.”⁹¹ Nevertheless, California law permits children to marry as young as zero and does not require applicants to provide proof of their age. On the scale of 1–5, California ranks as a 1.

Colorado

Colorado’s law was revised in 2021 to obligate sixteen and seventeen-year-olds to procure judicial approval prior to being issued a marriage certificate.⁹² The judge ruling on marriages involving

minors must reside in juvenile court and is required to consider the underage party's wishes, best interests, and ability to manage his or her own affairs and responsibilities of marriage.⁹³ All persons applying for marriage licenses in Colorado must also provide official proof of their age.⁹⁴ On the scale of 1–5, Colorado ranks as a 4.

Connecticut

In 2017, a bill to end underage marriage was proposed in the State House.⁹⁵ This bill went into effect and now places the legal age of marriage at eighteen; however, minors sixteen and over can still be married with parental consent and the authorization of a probate judge located in the district where the minor resides.⁹⁶ Connecticut is one of several states with an unwaivable residency requirement,⁹⁷ but does not require proof of age. On the scale of 1–5, Connecticut ranks as a 2.

Delaware

In June 2018, Delaware successfully banned child marriage without exception, becoming the first state to do so in America.⁹⁸ However, Delaware does not require all applicants to provide official proof of their age prior to obtaining a marriage license.⁹⁹ On the scale of 1–5, Delaware ranks as a 3.

Florida

Florida instituted a prohibition against marriage for all children under the age of seventeen in March 2018.¹⁰⁰ The law permits seventeen-year-olds to marry with parental consent as long as the age difference between the intended spouses is two years or less.¹⁰¹ While the law does not require parties to provide official proof of age or residency, it still resulted in lowering the total number of child marriages in the state; between July and December of 2017 there were 125 child marriages, and between that same time period in 2018, after the change in law, there were only forty-eight child marriages.¹⁰² On the scale of 1–5, Florida ranks as a 3.

Georgia

In March 2019, the Georgia State Senate unanimously raised the state's marriage age floor by passing a law that only permits emancipated seventeen-year-olds to marry with a court order.¹⁰³ Further, the law mandates the older party to the marriage be no more than four years the child's senior, and all parties are required to submit official proof of their age.¹⁰⁴ Additionally, the parties must separately undergo premarital education and present the judge a certification of completion.¹⁰⁵ If a minor is seeking emancipation in order to marry, a judge may only approve the emancipation after considering the minor's best interests, including, whether the minor is being compelled to marry against their will; if there is evidence the minor was a victim of statutory rape by the intended spouse; and whether the intended spouse has a criminal history.¹⁰⁶ On the scale of 1–5, Georgia ranks as a 4.

Hawaii

Under current Hawaii state law, sixteen-year-olds may marry if they obtain parental consent, while fifteen-year-olds may marry if they obtain both parental consent and approval of the family court.¹⁰⁷ Children under fifteen are not permitted to enter marriage under any circumstance.¹⁰⁸ Hawaii only requires applicants for a marriage certificate to provide official proof of age if a party “appears to any agent to be under the age of eighteen.”¹⁰⁹ On the scale of 1–5, Hawaii ranks as a 2.

Idaho

Between 2000 and 2018, Idaho bore the second highest per-capita rate of child marriage in the nation.¹¹⁰ Effective July 1, 2020, Idaho law permits minors aged sixteen to eighteen to marry if there is less than a three-year age difference between the minor and the intended spouse.¹¹¹ All minors are required to obtain parental consent and both parties must provide official proof of age before the marriage can be approved.¹¹² This proof of age requirement only applies to minor marriage applicants.¹¹³ On the scale of 1–5, Idaho ranks as a 2.

Illinois

Illinois allows children sixteen and older to marry with parental consent from both parents or with judicial consent.¹¹⁴ The law requires all marriage applicants to present “satisfactory” proof of age before they can obtain a marriage license.¹¹⁵ On the scale of 1–5, Illinois ranks as a 4.

Indiana

Effective July 1, 2020, a person in Indiana must be eighteen years old to marry, except for minors aged sixteen or seventeen that have been emancipated by the juvenile court.¹¹⁶ The minor party to the marriage must be a maximum of four years younger than their intended spouse, and both parties are required to provide official proof of age to the juvenile court.¹¹⁷ Additionally, the parties must present the juvenile court with any criminal records and the minor is required to demonstrate official proof of residency in the state.¹¹⁸ Moreover, the juvenile court is mandated to interview the minor to assess whether the marriage is free from force, fraud, or coercion and is in the minor’s best interests.¹¹⁹ Aside from minors, all applicants for a marriage license in Indiana must furnish proof of age.¹²⁰ On the scale of 1–5, Indiana ranks as a 4.

Iowa

Children in Iowa may be married as young as sixteen with parental consent and court approval.¹²¹ Judges can override a lack of parental consent if they determine consent was “unreasonably” withheld.¹²² As a result, the law grants significant power to a district court judge—who does not need to have specialized training in family law or juvenile matters—to decide whether the parties appear capable of assuming the responsibilities of marriage and whether the marriage serves the “best interest” of the child(ren).¹²³ Furthermore, official proof of age is not required at the time of marriage.¹²⁴ In fact, marriages between parties later found to be under eighteen remain valid,

although voidable.¹²⁵ To void such a marriage, the party that falsely represented their age must present a birth certificate before their eighteenth birthday.¹²⁶ On the scale of 1–5, Iowa ranks as a 2.

Kansas

In Kansas, children as young as fifteen can marry if a district court judge determines that the marriage is in the child’s “best interest.”¹²⁷ Children aged sixteen and seventeen are permitted to marry with parental or judicial consent.¹²⁸ In both cases, the judge does not need to have specialized training in family law or juvenile matters, and the parties are not required to submit official proof of their age.¹²⁹ On the scale of 1–5, Kansas ranks as a 2.

Kentucky

Between 2000 and 2018, Kentucky’s rate of child marriages per capita ranked fourth highest in the nation.¹³⁰ In spring 2018, Kentucky amended their laws pertaining to child marriage by passing Kentucky Senate Bill 48.¹³¹ Kentucky’s marriage laws now ban marriage for children under the age of seventeen and only allow seventeen-year-olds to marry with parental consent, provided the age difference between parties is less than four years.¹³² Of note, the law requires the parties to provide official proof of age and residency, proof of high school completion or the equivalent, and any criminal records to the family court before a marriage license may be issued.¹³³ The family court judge must also conduct an evidentiary hearing to determine whether the marriage is in the minor party’s best interest.¹³⁴ Besides seventeen-year-old applicants, all persons applying for a marriage license in Kentucky must furnish official proof of their age.¹³⁵ On the scale of 1–5, Kentucky ranks as a 4.

Louisiana

In June 2019, Louisiana passed a bill to raise the marriage age floor to sixteen without exception.¹³⁶ Signed by the Governor in June and effective in August 2019, the law now only permits sixteen and seventeen-year-olds to marry if the minor’s intended spouse is no more than three years their senior and the minor has obtained both judicial and parental consent.¹³⁷ Prior to authorizing the marriage of a minor, the judge must consider several factors, including any evidence of “human trafficking, sexual assault, domestic violence, coercion, duress, or undue influence.”¹³⁸ If a judge finds such evidence, they are required to immediately report it to child protection services and are prohibited from authorizing the marriage.¹³⁹ All applicants, regardless of age, must submit official proof of their age.¹⁴⁰ On the scale of 1–5, Louisiana ranks as a 4.

Maine

In January 2019, the Maine State Legislature proposed “An Act to End Child Marriage,” which prohibited children under age sixteen from entering into marriage under any circumstances.¹⁴¹ In June 2019, both the State House and Senate voted to pass the bill into law, which went into effect on January 12, 2020.¹⁴² Maine law now provides that parties must be eighteen to marry but allows sixteen and seventeen-year-olds to marry if they obtain parental consent.¹⁴³ In the absence of

parents or legal guardians, a judge may grant consent, and the parties are not always required to present official proof of age or residency.¹⁴⁴ Despite these loopholes, fewer than four out of every 1,000 children are married in the state of Maine, one of the lowest rates of child marriage in the nation.¹⁴⁵ Nevertheless, on the scale of 1–5, Maine ranks as a 2.

Maryland

The age floor in Maryland is set at fifteen, allowing fifteen-year-olds to enter marriage if they are pregnant and have parental consent.¹⁴⁶ Children sixteen and older can marry if they obtain parental consent but, if the minor is pregnant, parental consent is not required.¹⁴⁷ Moreover, underage marriage applicants in Maryland are not required to provide official proof of their age.¹⁴⁸ On the scale of 1–5, Maryland ranks as a 2.

Massachusetts

The law in Massachusetts currently allows children under age eighteen to marry with parental consent from each parent living in Massachusetts, or with consent from a legal guardian.¹⁴⁹ Unlike most other states, Massachusetts has no age floor for this exception, effectively setting its minimum marriage age at zero.¹⁵⁰ Additionally, because Massachusetts does not impose a restriction on the age difference between a minor and their intended spouse, the current law has allowed seventeen-year-old girls to be married to men as old as thirty-nine, and fifteen-year-olds to marry men in their mid-twenties.¹⁵¹ Between 2000 and 2018, approximately 1,246 children were married in Massachusetts, indicating that child marriage is still a common practice in the state.¹⁵² Massachusetts does not always require applicants to show proof of age.¹⁵³ On the scale of 1–5, Massachusetts ranks as a 1.

Michigan

Michigan's current law, last amended in 2007, permits sixteen and seventeen-year-old children to enter into marriage with consent from one parent.¹⁵⁴ Children under the age of sixteen may marry with consent from one parent and the approval of a probate judge, effectively setting the marriage age floor at zero.¹⁵⁵ The law does not require the parties to provide official proof of age or residency.¹⁵⁶ On the scale of 1–5, Michigan ranks as a 1.

Minnesota

Effective August 2020, Minnesota became one of the few states that prohibits marriage for persons under the age of eighteen without exception.¹⁵⁷ Minnesota's marriage law also requires official proof of age to apply for a marriage certificate.¹⁵⁸ On the scale of 1–5, Minnesota ranks as a 5.

Mississippi

Mississippi amended its marriage laws in 2021, but the new law still allows children to marry. Indeed, Mississippi considers males who are at least seventeen years old and females who are at

least fifteen years old as “capable in law of contracting marriage.”¹⁵⁹ Prior to being issued a marriage license, these minors—and all persons under the age of twenty-one—must provide proof of parental consent.¹⁶⁰ However, children under the ages of seventeen (for males) and fifteen (for females) may also marry if they obtain both parental and judicial consent.¹⁶¹ While all persons in Mississippi must furnish official proof of their age prior to obtaining a marriage license,¹⁶² the other legal loopholes effectively lower the minimum age for marriage to zero in Mississippi.¹⁶³ On the scale of 1–5, Mississippi ranks as a 1.

Missouri

In 2018, Missouri revised its law to raise the minimum marriage age to sixteen.¹⁶⁴ Children aged sixteen and seventeen can enter marriage if they obtain parental consent.¹⁶⁵ In Missouri, persons aged twenty-one or older are prohibited from marrying a child under the age of eighteen.¹⁶⁶ Between 2000 and 2018, over 8,000 minors were married in Missouri, approximately 85% of which were young girls.¹⁶⁷ All marriage license applicants in Missouri must provide official proof of age.¹⁶⁸ On the scale of 1–5, Missouri ranks as a 4.

Montana

Montana allows sixteen and seventeen-year-old children to marry with parental consent.¹⁶⁹ If the child does not have a parent capable of providing consent, a judge may approve the marriage.¹⁷⁰ Minors are also required to attend at least two sessions of premarital counseling prior to obtaining a marriage license.¹⁷¹ Additionally, a district court judge—who does not need to have specialization in family or juvenile matters—must determine that the marriage is in the minor’s best interests.¹⁷² Montana law bans marriage for children under age sixteen without exception and requires all applicants, regardless of age, to furnish official proof of their age.¹⁷³ On the scale of 1–5, Montana ranks as a 4.

Nebraska

Nebraska requires children to be at least seventeen years old to marry, and even then, children may only marry after obtaining consent from at least one parent and submitting official proof of their age.¹⁷⁴ Nebraska’s age of majority for marriage is nineteen, and thus requires parental consent for eighteen-year-old marriage applicants as well.¹⁷⁵ All applicants for marriage licenses, including persons over eighteen, must provide proof of their age in Nebraska.¹⁷⁶ On the scale of 1–5, Nebraska ranks as a 4.

Nevada

In 2019, Nevada strengthened its marriage laws by prohibiting any person under the age of seventeen from marrying in the state.¹⁷⁷ Before being issued a marriage license, seventeen-year-olds must obtain both the consent of at least one parent and judicial approval.¹⁷⁸ The judge reviewing an application for marriage involving a seventeen-year-old may only approve the marriage “in extraordinary circumstances” and must conclude that the minor is a resident of Nevada and that the marriage is in the minor’s best interest.¹⁷⁹ Still, **Nevada has the highest rate**

of child marriage per capita in the entire nation.¹⁸⁰ Between 2000 and 2018, over 17,400 child marriages occurred in the state.¹⁸¹ In Nevada, a person does not need to provide proof of age to obtain a marriage license if the applicant “clearly appears over the age of 25 years.”¹⁸² On the scale of 1–5, Nevada ranks as a 3.

New Hampshire

New Hampshire amended its marriage laws in 2019 by prohibiting marriage for all persons under the age of sixteen.¹⁸³ Additionally, the law rendered any marriage contract involving a child under age sixteen null and void.¹⁸⁴ Children aged sixteen and seventeen are permitted to marry in New Hampshire if they obtain consent from one parent, judicial approval, and submit official proof of age.¹⁸⁵ The judge approving a marriage involving a minor must be from the family division and must determine “by clear and convincing evidence” that the marriage is in the minor party’s best interest.¹⁸⁶ However, a judge is required to deny a marriage application if sexual contact between the parties would constitute sexual assault under state law.¹⁸⁷ Aside from minors, all marriage applicants in New Hampshire are required to provide official proof of their age.¹⁸⁸ On the scale of 1–5, New Hampshire ranks as a 4.

New Jersey

In June 2018, New Jersey became the second state in the nation, after Delaware, to ban marriage for children under the age of eighteen without exception.¹⁸⁹ However, like Delaware, New Jersey does not require all applicants to furnish official proof of age.¹⁹⁰ On the scale of 1–5, New Jersey ranks as a 3.

New Mexico

Between 2000 and 2018, New Mexico realized the eleventh highest rate of child marriages per capita in the United States.¹⁹¹ Currently, New Mexico law does not articulate a minimum age for marriage, which means that a child of any age may be married in the state if they meet certain requirements.¹⁹² Sixteen and seventeen-year-olds are permitted to marry if they have parental consent, while minors under age sixteen may also marry if their parent requests the marriage or if the minor is pregnant.¹⁹³ Persons applying for marriage licenses in New Mexico are not required to provide official proof of age.¹⁹⁴ On the scale of 1–5, New Mexico ranks as a 1.

New York

In 2021, New York became the sixth state to successfully ban child marriage.¹⁹⁵ Its new law prohibits marriage for all persons under the age of eighteen without exception and requires that all marriage applicants provide official proof of their age.¹⁹⁶ On the scale of 1–5, New York ranks as a 5.

North Carolina

North Carolina amended its marriage laws in 2021 to raise the minimum marriage age to sixteen if the minor acquires parental or judicial consent.¹⁹⁷ This new law also adds an age gap restriction: a person marrying a sixteen or seventeen-year-old can only be a maximum of four years older than the minor.¹⁹⁸ However, the state does not require parties to supply official proof of their age.¹⁹⁹ Between 2000 and 2018, approximately 12,637 child marriages took place in North Carolina.²⁰⁰ On the scale of 1–5, North Carolina ranks as a 2.

North Dakota

In North Dakota, children aged sixteen and seventeen may marry if they have parental consent and provide official proof of age.²⁰¹ The law does not permit marriages involving children below the age of sixteen under any circumstance.²⁰² All marriage applicants in North Dakota must furnish official proof of their age prior to obtaining a marriage license.²⁰³ On the scale of 1–5, North Dakota ranks as a 4.

Ohio

Ohio strengthened its marriage laws in 2019 by instituting a marriage age floor.²⁰⁴ The law now requires that a person be eighteen years or older to enter marriage, except for seventeen-year-olds who have obtained consent and emancipation by order of the juvenile court.²⁰⁵ The juvenile court may only approve a marriage involving a seventeen-year-old if the other party to the marriage is no more than four years older than the minor.²⁰⁶ Moreover, the juvenile court must consider whether marriage and emancipation are in the minor's best interests and whether the intended marriage is free of force and coercion.²⁰⁷ Prior to obtaining a marriage license, Ohio requires applicants to provide official proof of age and residency.²⁰⁸ On the scale of 1–5, Ohio ranks as a 4.

Oklahoma

Oklahoma law allows seventeen-year-olds to marry if they have parental consent or, in the absence of parents or legal guardians, approval from a district court judge.²⁰⁹ Oklahoma also permits children sixteen-years-old and younger to enter marriage if the marriage is part of the “settlement of a suit for seduction or paternity” or if the minor female is pregnant or has already given birth to “an illegitimate child.”²¹⁰ These loopholes effectively lower the minimum marriage age to zero. Oklahoma law requires applicants for marriage licenses to present official proof of age.²¹¹ Between 2000 and 2018, Oklahoma recorded the fifth highest number of child marriages per capita in the United States.²¹² On the scale of 1–5, Oklahoma ranks as a 1.

Oregon

Oregon permits child marriage for seventeen-year-olds with parental consent.²¹³ The law does not require that applicants provide official proof of age prior to being issued a marriage license.²¹⁴ On the scale of 1–5, Oregon ranks as a 3.

Pennsylvania

In 2020, Pennsylvania amended its marriage laws to prohibit marriage for persons under age eighteen without exception.²¹⁵ When it did so, it became the third state in the nation to ban child marriage.²¹⁶ Nevertheless, Pennsylvania does not require applicants to provide official proof of their age.²¹⁷ On the scale of 1–5, Pennsylvania ranks as a 3.

Rhode Island

Rhode Island became the fifth state in the nation to ban child marriage when it amended its marriage laws in 2021.²¹⁸ Under the new law, a person must be eighteen years or older to obtain a marriage license in the state,²¹⁹ but not all applicants are required to show official proof of age.²²⁰ On the scale of 1–5, Rhode Island ranks as a 3.

South Carolina

In 2019, South Carolina amended its marriage laws to prohibit children under the age of sixteen from entering marriage without exception.²²¹ Under the current law, sixteen and seventeen-year-olds may marry if they have parental consent and furnish official proof of their age.²²² Aside from minors, applicants are only required to provide proof of their age if they are between the ages of eighteen and twenty-five.²²³ On the scale of 1–5, South Carolina ranks as a 2.

South Dakota

South Dakota allows sixteen and seventeen-year-old children to enter marriage if they have the consent of one parent and provide official proof of their age.²²⁴ All marriage applicants in South Dakota, not just minors, are required to furnish official proof of their age prior to obtaining a marriage license.²²⁵ On the scale of 1–5, South Dakota ranks as a 4.

Tennessee

Tennessee strengthened its marriage laws in 2018 by prohibiting marriage for any person under the age of seventeen.²²⁶ Seventeen-year-olds are permitted to marry if they have parental consent, provided the other party to the marriage is no more than four years older than the minor.²²⁷ Minors applying for a marriage license in Tennessee do not need to furnish official proof of their age.²²⁸ In the eighteen years prior to the passage of this new law, Tennessee recorded over 9,780 child marriages.²²⁹ On the scale of 1–5, Tennessee ranks as a 3.

Texas

Texas passed a law in 2017 that banned marriage for children under eighteen, except for sixteen and seventeen-year-olds who have been emancipated by court order.²³⁰ Texas law requires all parties—regardless of age—to submit official proof of their age prior to obtaining a marriage license.²³¹ Between 2000 and 2018, approximately 41,774 marriages involving minors took place in Texas.²³² On the scale of 1–5, Texas ranks as a 4.

Utah

In 2019, Utah bolstered its marriage laws and prohibited persons younger than sixteen from getting married in the state.²³³ Additionally, the law provides that sixteen and seventeen-year-olds may marry only after submitting official proof of age, receiving consent from one parent, and obtaining authorization from the juvenile court.²³⁴ Prior to authorizing a marriage involving a minor, the judge must determine that the minor is entering the marriage voluntarily and that the marriage is in the minor's best interest.²³⁵ The judge must also require the parties to attend premarital counseling and is prohibited from authorizing a marriage if the age difference between the parties is more than seven years.²³⁶ Aside from minors, Utah does not require its marriage applicants to provide official proof of their age.²³⁷ Between 2000 and 2018, Utah ranked seventh highest in the nation for number of child marriages per capita.²³⁸ On the scale of 1–5, Utah ranks as a 2.

Vermont

Vermont prohibits any child under the age of sixteen from entering marriage, without exception.²³⁹ Children aged sixteen and seventeen may marry with the consent of one parent.²⁴⁰ However, Vermont does not require the parties to provide official proof of their age.²⁴¹ On the scale of 1–5, Vermont ranks as a 2.

Virginia

In 2016, Virginia amended its marriage laws to prohibit marriage for persons under age eighteen, except for sixteen and seventeen-year-olds who have been emancipated by court order.²⁴² Virginia does not always require its marriage applicants to provide official proof of age.²⁴³ On the scale of 1–5, Virginia ranks as a 2.

Washington

Washington permits children under age seventeen to enter marriage with judicial approval, provided that they demonstrate necessity for the marriage to a judge in the county of the minor's residence.²⁴⁴ This means that with a judge's approval, a child of any age can be married in Washington. Moreover, the judge presiding over such an application does not need to have specialized knowledge of juvenile or family matters.²⁴⁵ Seventeen-year-old children in Washington do not need a judge's approval; they only need to acquire consent from one parent.²⁴⁶ Additionally, marriage license applicants in Washington do not need to supply official proof of their age.²⁴⁷ On the scale of 1–5, Washington ranks as a 1.

West Virginia

In West Virginia, children as young as sixteen may enter marriage with parental consent.²⁴⁸ However, West Virginia law does not impose a marriage age floor; children under sixteen-years-old may also enter marriage as long as they obtain both parental and judicial consent.²⁴⁹ To approve a marriage involving a minor younger than sixteen, a judge must determine that the marriage is in the child's best interests, but the judge considering the application is not required to

have specialized knowledge in juvenile or family matters.²⁵⁰ West Virginia does require that all parties to a marriage application present official proof of their age prior to being issued a marriage license.²⁵¹ On the scale of 1–5, West Virginia ranks as a 1.

Wisconsin

Wisconsin permits sixteen and seventeen-year-old minors to marry if they obtain parental consent.²⁵² In the absence of any parent or guardian, the probate court may provide its consent to the marriage.²⁵³ All applicants for marriage licenses in Wisconsin are required to provide official proof of their age and residency in the state.²⁵⁴ On the scale of 1–5, Wisconsin ranks as a 4.

Wyoming

Wyoming’s marriage laws allow sixteen and seventeen-year-olds to marry with parental consent, and permit children under sixteen to marry if both judicial approval and parental consent are provided.²⁵⁵ In both cases, parental consent may be waived by a judge.²⁵⁶ The parties to the marriage do not need to provide official proof of their age to receive a marriage license.²⁵⁷ On the scale of 1–5, Wyoming ranks as a 1.

Washington, D.C.

In the District of Columbia, children under the age of sixteen are prohibited from entering marriage.²⁵⁸ Sixteen and seventeen-year-old children are permitted to marry if they obtain consent from one parent.²⁵⁹ The parties to the marriage do not need to furnish official proof of their age before being issued a marriage license.²⁶⁰ On the scale of 1–5, Washington, D.C. ranks as a 2.

American Samoa

In 2018, Governor Lolo Matalasi Moliga signed into law a bill that successfully banned persons under the age of eighteen from entering marriage in American Samoa without exception.²⁶¹ Marriage applicants in American Samoa are not required to supply official proof of their age.²⁶² On the scale of 1–5, American Samoa ranks as a 3.

Guam & Northern Mariana Islands

The law in Guam permits children aged sixteen and seventeen to marry, provided a parent or guardian submits written consent.²⁶³ However, courts may authorize marriages for children under age sixteen if the minor applicant is “with a child.”²⁶⁴ Applicants for marriage licenses in Guam are not required to provide proof of their age.²⁶⁵ On the scale of 1–5, Guam ranks as a 1.

In the Northern Mariana Islands, the marriage age floor is dependent upon citizenship. If at least one of the parties is a noncitizen, the female applicant must be at least sixteen years old, while the male must be at least eighteen years old.²⁶⁶ In this instance, if the female is sixteen or seventeen,

she must have consent of at least one parent.²⁶⁷ However, there are no such age restrictions or proof of age requirements for marriages between citizens.²⁶⁸ On the scale of 1–5, the Northern Mariana Islands ranks as a 1.

Puerto Rico

Under Puerto Rico law, those under age twenty-one are required to obtain the consent of their parent or guardian to marry.²⁶⁹ However, eighteen-year-olds do not need parental or judicial authorization in cases where “it is proven that the betrothed woman has been raped, seduced or is pregnant.”²⁷⁰ Puerto Rico law prohibits males under eighteen and females under sixteen from entering marriage but also provides several exceptions to this rule.²⁷¹ For instance, if the parties were underage when they were married, the marriage is nevertheless valid if the parties lived together without anyone objecting until they reached marriageable age or if they became pregnant.²⁷² Additionally, fifteen-year-old girls are allowed to marry if they “have been seduced” and have parental or judicial consent.²⁷³ Seventeen-year-old boys may also enter marriage if they are accused of “having seduced” a fifteen-year-old girl and have obtained parental or judicial consent.²⁷⁴ As a result, Puerto Rico’s law does not institute an effective marriage age floor. Puerto Rico also does not require its marriage applicants to provide official proof of their age.²⁷⁵ On the scale of 1–5, Puerto Rico ranks as a 1.

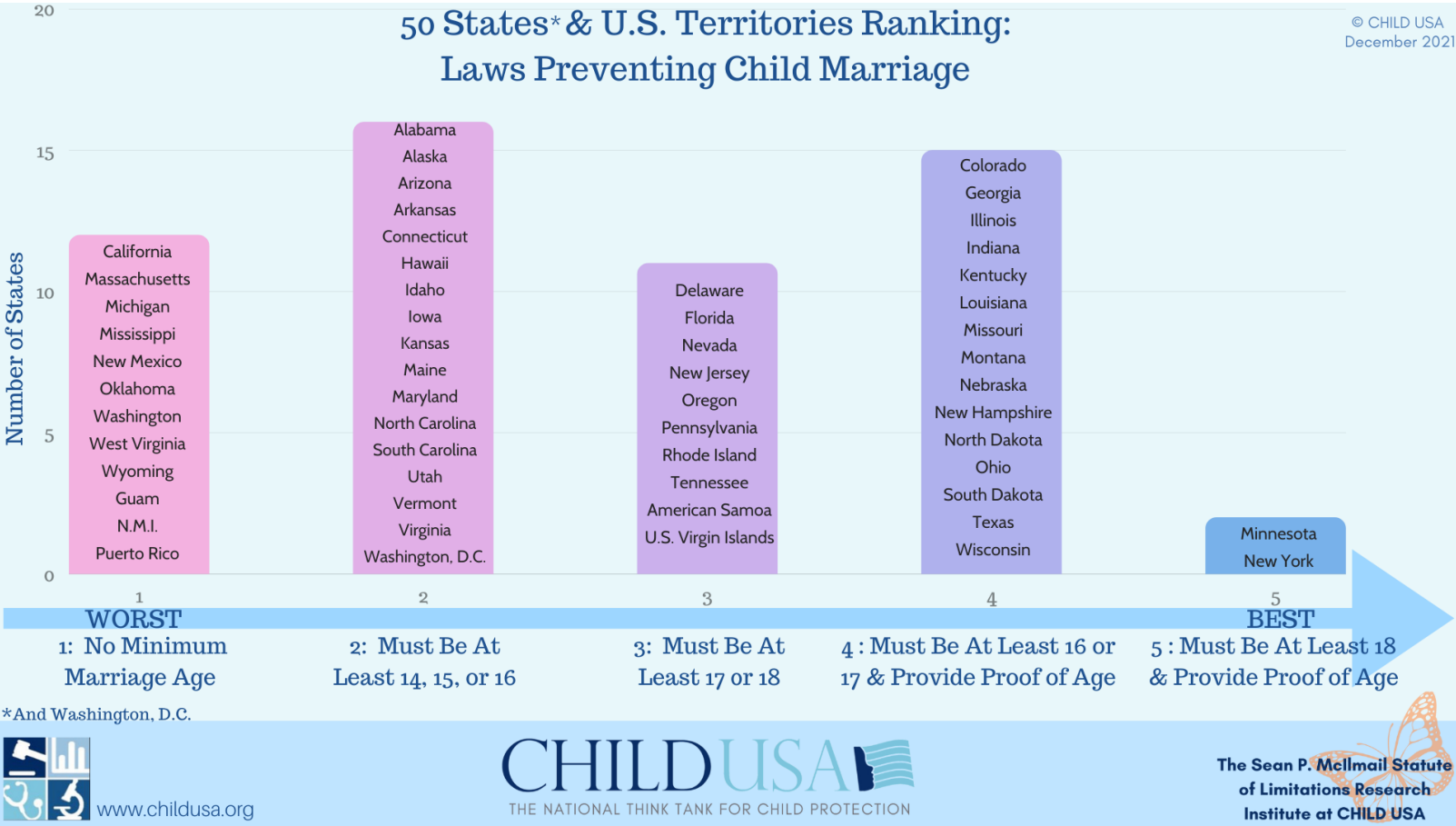
U.S. Virgin Islands

In 2019, the legislature in the U.S. Virgin Islands voted unanimously to end child marriage in the territory.²⁷⁶ Governor Albert Bryan Jr. signed the bill into law on January 18, 2020, adding the Virgin Islands to the list of states and United States territories that prohibit issuing marriage licenses to persons under the age of eighteen without exception.²⁷⁷ The U.S. Virgin Islands does not require marriage applicants to furnish official proof of their age prior to obtaining a marriage license.²⁷⁸ On the scale of 1–5, the U.S. Virgin Islands ranks as a 3.

III. How They Measure Up

As evidenced above, the laws regulating child marriage in the United States vary widely state by state. Some are very restrictive regarding underage marriage, while others are regrettably lax. Below, the States, Washington, D.C., and United States territories are grouped based on the most important characteristics in the creation of strong marriage laws—a strict minimum marriage age of eighteen, enforced by a requirement that all applicants—regardless of age—provide official proof of their age before they can receive a marriage license. The groupings are given a ranking

between one and five—one representing the states and territories with the least effective laws for preventing child marriage, and five representing the states and territories with the most effective laws for preventing child marriage.²⁷⁹ Importantly, these rankings do not reflect the *rate* of child marriage in each state, but rather the strength of each state’s law to deter child marriage.²⁸⁰



IV. Conclusion

While many people cling to the flawed assumption that child marriage is not an American issue, children are married every day in the United States. A collection of states and territories have passed new laws to limit its prevalence, but many of these laws are riddled with exceptions and are inconsistent across state lines. Mandatory age floors set at eighteen, proof of age and

residency requirements, and the elimination of parental and judicial consent exceptions are all crucial to ensure more effective child protection in America. Ultimately, a federal law that (1) bans marriage for persons under the age of eighteen, without exception, and (2) requires all marriage applicants to furnish official proof of their age, will be the most effective way to thwart child marriage nationally and truly protect children.

¹ CHILD USA firmly believes that “child marriage” is synonymous with “forced marriage,” as minors are legally incapable of providing consent. As such, CHILD USA defines both “child marriage” and “forced marriage” as a formal marriage or informal union where one or both parties is under the age of eighteen.

This definition is in keeping with both United States and international law. See U.S. DEP’T OF STATE ET AL., UNITED STATES GLOBAL STRATEGY TO EMPOWER ADOLESCENT GIRLS 5 (2016) (defining “child, early and forced marriage (CEFM)” as “a formal marriage or informal union where one or both parties is under the age of 18”); *Child and forced marriage, including in humanitarian settings*, UNITED NATIONS OFF. OF THE HIGH COMM’R FOR HUMAN RIGHTS, <https://www.ohchr.org/en/issues/women/wrgs/pages/childmarriage.aspx> (last visited Nov. 30, 2021) (defining “child marriage” as “any marriage where at least one of the parties is under 18 years of age” and “forced marriage” as “a marriage in which one and/or both parties have not personally expressed their full and free consent to the union”).

² *Child marriage*, UNICEF (Oct. 2021), <https://data.unicef.org/topic/child-protection/child-marriage/>; Helen Wylie, *10 million additional girls at risk of child marriage due to COVID-19*, UNICEF (Mar. 7, 2021), <https://www.unicef.org/press-releases/10-million-additional-girls-risk-child-marriage-due-covid-19> [hereinafter UNICEF Press Release]; Helen Wylie, *Fast Facts: 10 facts illustrating why we must #EndChildMarriage*, UNICEF (February 11, 2019), <https://www.unicef.org/eca/press-releases/fast-facts-10-facts-illustrating-why-we-must-endchildmarriage> [hereinafter *Fast Facts*].

³ *Fast Facts*, *supra* note 2.

⁴ Colleen Murray Gastón, Christina Misunas & Claudia Cappa, *Child marriage among boys: a global overview of available data*, 14 VULNERABLE CHILD. & YOUTH STUDIES 219, 221 (2019), <https://www.tandfonline.com/doi/full/10.1080/17450128.2019.1566584>.

⁵ *Child marriage*, *supra* note 2.

⁶ Many cultures operating within patriarchal systems place a large emphasis on controlling female sexuality and virginity. *Why it happens*, GIRLS NOT BRIDES, <https://www.girlsnotbrides.org/why-does-it-happen/> (last visited Oct. 12, 2021). Often, this is because some societies value girls who are virgins more highly than those who are not. *Id.* As a result, girls may be denied access to sexual health care and information, and in some cases, may even be criminally prosecuted for engaging in sex outside of marriage. *Id.* Additionally, “in many places, girls who have relationships or become pregnant outside of marriage are shamed for bringing dishonor on their family, or even stopped from going to school.” *Id.* Many parents and families believe early marriage is an avenue to avoid such consequences. *Id.* Sadly, some girls are even forced to marry their rapists “to spare their families the stigma associated with unmarried pregnancy.” *Child marriage – Frequently Asked Questions*, UNITED NATIONS POPULATION FUND (Jan. 2020), <https://www.unfpa.org/child-marriage-frequently-asked-questions#why%20does%20child%20marriage%20happen>.

⁷ In several parts of the world, marriage is an economic transaction that can improve a destitute family’s situation. In fact, “more than half of girls from the poorest families in the developing world are married as children.” *Child marriage – Frequently Asked Questions*, *supra* note 6. In many impoverished countries, marrying girls off is seen as a financial solution to secure the future of both the family and the girls themselves. *Id.* This is due, in part, to the

gender inequality discussed in note 6; families view an investment in their son's education as more valuable than an investment in their daughter's education. As a result, families struggling economically may marry off a young daughter to avoid the cost of her education or simply to "ease the financial load of caring for a child." *Child Marriage*, COUNCIL ON FOREIGN RELATIONS, <https://www.cfr.org/child-marriage/#/> (last visited Nov. 1, 2021) [hereinafter CFR Report]. Many times, families who cannot afford to properly care for their daughters see marriage as a way to provide for their daughter's future by entrusting the husband or husband's family with her care. *Child marriage – Frequently Asked Questions*, *supra* note 6. Marriage is also used as a means to repay debts, manage disputes, and form social, political, and economic alliances. *Id.*

In some communities, dowries or bride prices also play a role. Because a younger bride is often viewed as more valuable, the dowry for a younger girl is typically smaller. In cases where the bride's family pays the dowry, this creates an incentive for the parents to enter their daughter into marriage at a younger age. CFR Report, *supra* note 7. In countries where the groom's family pays the dowry, a girl's parents may marry her off to secure an additional source of income. *Id.*

⁸ In many communities, child marriage is viewed as widely accepted or even normal because it is a custom that has been practiced for many generations or is embedded within their religious beliefs. CFR Report, *supra* note 7; *Why it happens*, *supra* note 6. Often, these traditions entail parents and elders selecting spouses for the community's girls at the age of their menstruation. CFR Report, *supra* note 7; *Why it happens*, *supra* note 6. For many cultures, this is a way to keep the girls within the community as free domestic help. CFR Report, *supra* note 7.

⁹ National insecurity is synonymous with "state fragility" and may include a state's "loss of physical control of its territory or a monopoly on the legitimate use of force; the erosion of legitimate authority to make collective decisions; an inability to provide reasonable public services;" and/or the "inability to interact with states as a full member of the international community." THE FUND FOR PEACE, *What Does State Fragility Mean?*, FRAGILE STATES INDEX, <https://fragilestatesindex.org/frequently-asked-questions/what-does-state-fragility-mean/> (last visited Nov. 19, 2021).

Child marriage rates typically increase in countries afflicted by humanitarian crises such as war, generalized violence, or natural disasters. CFR Report, *supra* note 7; *Why it happens*, *supra* note 6. Such instability can greatly affect the availability of critical resources like food, which leads many families to marry off their daughters for the financial reasons discussed in note 7. Conflict and unrest may also result in a community's displacement, which can cause the breakdown of "social networks and protection systems, making girls more vulnerable to child marriage." *Id.* Displacement can also persuade girls to marry "men who promise to reunite them with family members who have already migrated or been displaced." *Id.* In areas experiencing extreme violence, parents may also "view marriage as a way to protect their daughters from sexual violence." CFR Report, *supra* note 7; *Why it happens*, *supra* note 6. Additionally, child marriage is sometimes weaponized in conflicts as a method of disguising human rights violations such as sexual abuse and human trafficking. *Why it happens*, *supra* note 6.

¹⁰ The COVID-19 pandemic has significantly affected the lives of young girls across the globe. The virus required school closings and travel restrictions in many countries, exacerbating the difficulties many girls already face in accessing "health care, social services and community support that protect them from child marriage." UNICEF Press Release, *supra* note 2; *see also Child marriage has more than doubled during the COVID-19 pandemic with numbers set to increase*, *World Vision warns*, WORLD VISION (May 20, 2021), <https://www.wvi.org/newsroom/it-takes-world/child-marriage-has-more-doubled-during-covid-19-pandemic-numbers-set>; Nelsy Affoum & Isabel Santagostina Recavarren, *Child marriage: the unspoken consequences of COVID-19*, WORLD BANK (Oct. 9, 2020), <https://blogs.worldbank.org/developmenttalk/child-marriage-unspoken-consequence-covid-19>.

Indeed, school closings may result in some girls never returning to the classroom, as they are pushed towards marriage because school is no longer an available alternative. Claudia Cappa et al., *COVID-19: A threat to progress against child marriage*, UNICEF 1, 6 (Mar. 2021), <https://data.unicef.org/wp-content/uploads/2021/03/UNICEF-report--COVID-19--A-threat-to-progress-against-child-marriage-1.pdf>. This in turn promotes the gender inequality that bolsters child marriage. UNICEF Press Release, *supra* note 2. As a result of these pandemic-created conditions, UNICEF projects that "over the next decade, up to 10 million more girls will be at risk of becoming child brides." Cappa et al., at 16.

¹¹ Page Cassidy & Tyehimba Turner, *The Fight Continues to End Child Marriage in the U.S.*, UNICEF (Aug. 25, 2021), <https://www.unicefusa.org/stories/ending-child-marriage-us-fight-continues/38893>.

¹² *United States' Child Marriage Problem*, UNCHAINED AT LAST (Apr. 2021), <https://www.unchainedatlast.org/united-states-child-marriage-problem-study-findings-april-2021/>.

¹³ *Id.*

¹⁴ *United States' Child Marriage Problem*, *supra* note 12.

¹⁵ *Child marriage*, *supra* note 2.

¹⁶ *Adolescent pregnancy*, WORLD HEALTH ORG. (Jan. 31, 2020), <https://www.who.int/en/news-room/fact-sheets/detail/adolescent-pregnancy>.

¹⁷ CFR Report, *supra* note 7.

¹⁸ Dana Kirkegaard, *New Moms, No Matter What*, FRIENDS OF UNFPA, <https://www.friendsofunfpa.org/new-moms-no-matter-what/> (last visited Nov. 4, 2021).

¹⁹ *Adolescent pregnancy*, *supra* note 16.

²⁰ Gordon C. S. Smith & Jill P. Pell, *Teenage pregnancy and risk of adverse perinatal outcomes associated with first and second births: population based retrospective cohort study*, 323 B.M.J. 476, 479 (2001).

²¹ *Child marriage – Frequently Asked Questions*, *supra* note 6.

²² Suzanne Petroni et al., *Understanding the Relationship Between HIV and Child Marriage: Conclusions From an Expert Consultation*, 64 J. ADOLESCENT HEALTH 694, 695 (2019), <https://www.jahonline.org/action/showPdf?pii=S1054-139X%2819%2930109-0>.

²³ *Gender-based violence and child marriage*, GIRLS NOT BRIDES, <https://www.girlsnotbrides.org/learning-resources/child-marriage-and-health/gender-based-violence-and-child-marriage/> (last visited Nov. 2, 2021).

²⁴ *Id.*

²⁵ *Id.* at 4.

²⁶ Megan Arthur et al., *Child Marriage Laws around the World: Minimum Marriage Age, Legal Exceptions, and Gender Disparities*, 39 J. WOMEN POLIT. POLICY 51, 54 (2018), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6382347/>.

²⁷ Quentin Wodon et al., *Economic Impacts of Child Marriage: Global Synthesis Report*, THE WORLD BANK & THE INT'L CTR. FOR RSCH. ON WOMEN 1, 53 (2017), <https://www.icrw.org/wp-content/uploads/2017/06/EICM-Global-Conference-Edition-June-27-FINAL.pdf>.

²⁸ *Id.*

²⁹ Quentin Wodon & Suzanne Petroni, *The Rippling Economic Impacts of Child Marriage*, THE WORLD BANK (June 27, 2017), <http://blogs.worldbank.org/education/rippling-economic-impacts-child-marriage>.

³⁰ Wodon et al., *supra* note 27, at 54.

³¹ Wodon & Petroni, *supra* note 29.

³² Ellen Travers, *Costs of child marriage: what does the World Bank research say?*, GIRLS NOT BRIDES (July 6, 2017), <https://www.girlsnotbrides.org/costs-child-marriage-world-bank-research-say/>.

³³ *Falling Through the Cracks: How Laws Allow Child Marriage to Happen in Today's America*, TAHIRIH JUSTICE CENTER 1, 3 (Aug. 2017), <https://www.tahirih.org/wp-content/uploads/2017/08/TahirihChildMarriageReport-1.pdf> [hereinafter *Tahirih Child Marriage Report*].

³⁴ *Id.*

³⁵ UNITED NATIONS, CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (1979).

³⁶ UNITED NATIONS, CONVENTION ON THE RIGHTS OF THE CHILD (1989).

³⁷ *Child marriage – Frequently Asked Questions*, *supra* note 6.

- ³⁸ Rangita de Silva de Alwis, MAKING LAWS, BREAKING SILENCE: CASE STUDIES FROM THE FIELD 43, 44 (Rangita de Silva de Alwis ed., 2018).
- ³⁹ Zoe Birchall, *UN General Assembly adopts 4th Resolution on child, early and forced marriage*, GIRLS NOT BRIDES (Dec. 9, 2020), <https://www.girlsnotbrides.org/articles/un-general-assembly-adopts-4th-resolution-child-early-and-forced-marriage/>; G.A. Res. 73/153 (Dec. 17, 2018); G.A. Res. 71/175 (Dec. 19, 2016); G.A. Res. 69/156 (Dec. 18, 2014).
- ⁴⁰ *The law and child marriage*, GIRLS NOT BRIDES, <https://www.girlsnotbrides.org/child-marriage-law/> (last visited Nov. 2, 2021).
- ⁴¹ *Id.*
- ⁴² *Child marriage – Frequently Asked Questions*, *supra* note 6.
- ⁴³ GIRLS NOT BRIDES, <https://atlas.girlsnotbrides.org/map/philippines> (last visited Nov. 2, 2021); Aleksandra Sandstrom & Angelina E. Theodorou, *Many countries allow child marriage*, PEW RSCH. CTR. (Sept. 12, 2016), <https://www.pewresearch.org/fact-tank/2016/09/12/many-countries-allow-child-marriage/>.
- ⁴⁴ Arthur et al., *supra* note 26, at 52.
- ⁴⁵ Sandstrom & Theodorou, *supra* note 43.
- ⁴⁶ *Status of Ratification Interactive Dashboard: Convention on the Rights of the Child*, OFF. OF THE UNITED NATIONS HIGH COMM’R FOR HUMAN RIGHTS, <https://indicators.ohchr.org/> (last visited Nov. 2, 2021).
- ⁴⁷ *Id.*; *A Fact Sheet on CEDAW: Treaty for the Rights of Women*, AMNESTY INT’L (August 25, 2005), https://www.amnestyusa.org/files/pdfs/cedaw_fact_sheet.pdf.
- ⁴⁸ *About Child Marriage in the U.S.*, UNCHAINED AT LAST, <http://www.unchainedatlast.org/laws-to-end-child-marriage/> (last visited Nov. 2, 2021).
- ⁴⁹ *Making Progress, But Still Falling Short: A Report on the Movement to End Child Marriage in America*, TAHIRIH JUST. CTR. 1, 7 (2020), https://www.tahirih.org/wp-content/uploads/2020/01/Reflection-Paper_Making-Progress-But-Still-Falling-Short_FINAL-with-map_May-13_2020.pdf.
- ⁵⁰ Kaia Hubbard, *Child Marriage Is Not Uncommon in the U.S., but States Are Taking Action*, U.S. NEWS (Sept. 1, 2021, 11:39 AM), <https://www.usnews.com/news/best-states/articles/2021-09-01/north-carolina-joins-growing-number-of-states-to-limit-child-marriage>.
- ⁵¹ Daniele Selby, *Why Missouri Is a ‘Destination Wedding Spot’ for 15-Year-Olds*, GLOBAL CITIZEN (Mar. 12, 2018), <https://www.globalcitizen.org/en/content/child-marriage-missouri-us-statutory-rape/>.
- ⁵² *Understanding State Statutes on Minimum Marriage Age and Exceptions*, TAHIRIH JUST. CTR. 1, 1 (Aug. 26, 2021), <https://www.tahirih.org/wp-content/uploads/2021/09/August-2021-State-Statutory-Compilation-1.pdf> [hereinafter *State Statute Compilation*].
- ⁵³ *See Appendix A: All States and D.C., Analysis of State Laws on Minimum Marriage Age and Exceptions Permitting Marriage Under Age 18*, TAHIRIH JUST. CTR. (Aug. 26, 2021), <https://www.tahirih.org/wp-content/uploads/2021/09/August-2021-50-State-Appendices-with-Detailed-Scorecards-on-Features-of-States-Minimum-Marriage-Age-Laws-1.pdf> [hereinafter *State Scorecards*].
- ⁵⁴ *State Statute Compilation*, *supra* note 52, at 1.
- ⁵⁵ *Id.* at 10; *see* Cassidy & Turner, *supra* note 11.
- ⁵⁶ *State Statute Compilation*, *supra* note 52, at 11.
- ⁵⁷ *Id.*
- ⁵⁸ *Id.* at 12.
- ⁵⁹ *Id.* at 13.

⁶⁰ See *id.* Nine states and three United States territories do not impose an age floor: California, Massachusetts, Michigan, Mississippi, New Mexico, Oklahoma, Washington, West Virginia, Wyoming, Guam, the Northern Mariana Islands, and Puerto Rico. See the *50 States & U.S. Territories Ranking: Laws Preventing Child Marriage* bar graph on page 26 of this report [hereinafter *50 State Ranking*]. This means that “if the statutory exceptions are met, a judge could conceivably approve the marriage of a child of any age.” State Statute Compilation, *supra* note 52, at 13.

⁶¹ State Statute Compilation, *supra* note 52, at 14.

⁶² *Id.*

⁶³ *Id.* at 11.

⁶⁴ *Id.*

⁶⁵ Tahiri Child Marriage Report, *supra* note 33, at 9.

⁶⁶ 50 State Ranking, *supra* note 60.

⁶⁷ State Statute Compilation, *supra* note 52, at 1. Unofficial marriages are another avenue through which child marriage persists in the United States. These unofficial marriages take several forms, including conjugal cohabitation, marriage by adoption, and marriage by contract. Conjugal cohabitation occurs when the marital parties reside together but never obtain a marriage license through the state, much like a common law marriage. Marriage by adoption occurs when an elder spouse adopts the younger in order to gain legal rights and protections and still avoid laws prohibiting child marriage. Finally, marriage by contract occurs when a parent contracts on behalf of their underage child and promises that the child will wed the other party once they reach the “age of majority.” Some of these unofficial marriages are never registered, and others are registered once a child reaches the legal age. Still, even when the union exists outside the legal bounds of marriage, children endure the harms inflicted by the practice.

⁶⁸ See *United States’ Child Marriage Problem*, *supra* note 12.

⁶⁹ *Id.*; Christopher Harress, *Child marriage is still legal in Alabama, but on the decline*, ALABAMA.COM (Apr. 2, 2019, 4:08 PM), https://www.al.com/news/index.ssf/2017/08/child_marriage_is_still_legal.html.

⁷⁰ Harress, *supra* note 69; David McClendon and Aleksandra Sandstrom, *Child Marriage is rare in the U.S., though this varies by state*, PEW RSCH. CTR. (Nov. 1, 2016), <http://www.pewresearch.org/fact-tank/2016/11/01/child-marriage-is-rare-in-the-u-s-though-this-varies-by-state/>.

⁷¹ ALA. CODE §§ 30-1-4, 30-1-5 (1975).

⁷² *Id.*

⁷³ See *id.*; State Scorecards, *supra* note 53.

⁷⁴ These rankings are illustrated in the 50 State Ranking, *supra* note 60.

⁷⁵ ALASKA STAT. ANN. § 25.05.171 (West 2021).

⁷⁶ See *id.*; State Scorecards, *supra* note 53.

⁷⁷ State Scorecards, *supra* note 53.

⁷⁸ See ALASKA STAT. ANN. § 25.05.171 (West 2021); State Scorecards, *supra* note 53.

⁷⁹ ARIZ. REV. STAT. ANN. § 25-102 (2018); Daniele Selby, *Arizona Just Signed a Bill to Prevent Child Marriage Under 16*, GLOBAL CITIZEN (Apr. 13, 2018), <https://www.globalcitizen.org/en/content/arizona-child-marriage-bill-under-16/>.

⁸⁰ ARIZ. REV. STAT. ANN. § 25-102 (2018).

⁸¹ *Id.*

⁸² See *id.*; State Scorecards, *supra* note 53.

⁸³ Shelby Rose, *Governor signs law banning child marriage in Arkansas*, KATV (Apr. 17, 2019), <https://katv.com/news/local/governor-signs-law-banning-child-marriage-in-arkansas>.

⁸⁴ ARK. CODE ANN. § 9-11-103 (2021).

⁸⁵ *Id.*

⁸⁶ *See id.*; State Scorecards, *supra* note 53.

⁸⁷ *United States' Child Marriage Problem*, *supra* note 12.

⁸⁸ Dartunorro Clark, *'Wide-open potential for abuse': States are ground zero in the fight against child marriage*, NBC NEWS (Apr. 1, 2019), <https://www.nbcnews.com/politics/politics-news/wide-open-potential-abuse-states-are-ground-zero-fight-against-n988496>.

⁸⁹ CAL. FAM. CODE § 302 (2020).

⁹⁰ *Id.* at § 304(a).

⁹¹ *Id.*

⁹² COL. REV. STAT. ANN. §§ 14-2-106, 14-2-108 (West 2021).

⁹³ *Id.*

⁹⁴ *Id.* at § 14-2-106.

⁹⁵ In support of the bill, one woman who was engaged at eight years old and married at fifteen offered her testimony: "I lost my youth and my mental health is just not the same. The happy go lucky little girl is gone. I can go months now without laughing. He robbed me of my childhood... It should not be legal to marry off your child under eighteen in any state." *Testimony in Support of HB5442: Ending Child Marriage Presented to Connecticut Joint Committee on Judiciary*, 2017 Leg., Reg. Sess. (Ct. 2017) (statement of Naila Amin, child marriage survivor), <https://www.cga.ct.gov/2017/JUDdata/Tmy/2017HB-05442-R000306-Amin,%20Naila-TMY.PDF>; *see also* Talia Soglin, *Minimum Marriage Age Takes Effect*, YALE DAILY NEWS (Oct. 4, 2017, 1:43 AM), <https://yaledailynews.com/blog/2017/10/04/minimum-marriage-age-takes-effect/>.

⁹⁶ CONN. GEN. STAT. ANN. § 46b-20a(b) (West 2021).

⁹⁷ Tahirih Child Marriage Report, *supra* note 33, at 10.

⁹⁸ DEL. CODE ANN. tit. 13 § 123 (2021); *see also* Bethlehem Feleke, *Delaware becomes first US state to fully ban child marriage*, CNN (May 12, 2018, 9:09 AM), <https://www.cnn.com/2018/05/12/us/delaware-child-marriage-ban/index.html>.

⁹⁹ DEL. CODE ANN. tit. 13 §§ 122–23 (2021). While not explicitly requiring official proof of age, Delaware does require each applicant to provide their Social Security Number, which on its face is not indicative of age. *Id.* at § 122.

¹⁰⁰ FLA. STAT. ANN. § 741.04(1) (West 2021).

¹⁰¹ S.B. 140, 2018 Leg., Reg. Sess. (Fla. 2018).

¹⁰² Jacob Ogles, *Is Florida law template for stopping child marriages?*, FLORIDA POLITICS (Apr. 25, 2019), <https://floridapolitics.com/archives/294769-is-florida-law-template-for-stopping-child-marriages>.

¹⁰³ H.B. 228, 2019 Leg., Reg. Sess. (Ga. 2019); *see also* Mark Niesse, *Georgia Senate votes to end child marriages under 17*, THE ATLANTA J.-CONST. (Mar. 28, 2019), <https://www.ajc.com/news/state--regional-govt--politics/georgia-senate-votes-end-child-marriages-under-age/N52CtWrx6g6QqL6GknquLM/#>.

¹⁰⁴ GA. CODE ANN. §§ 19-3-2, 19-3-36 (West 2021).

¹⁰⁵ *Id.* at §§ 19-3-2, 19-3-30.1.

¹⁰⁶ *Id.* at § 15-11-725(a)(2).

¹⁰⁷ HAW. REV. STAT. ANN. § 572-1 (West 2021).

¹⁰⁸ *Id.*, see also *id.* at § 572-2.

¹⁰⁹ *Id.* at § 572-10.

¹¹⁰ *United States' Child Marriage Problem*, *supra* note 12.

¹¹¹ IDAHO CODE ANN. § 32-202 (West 2021).

¹¹² *Id.*

¹¹³ *Id.* at § 32-403 (West 2021). All applicants for marriage licenses in Idaho are required to submit their Social Security Numbers; however, a Social Security Number is not on its face indicative of age.

¹¹⁴ 750 ILL. COMP. STAT. ANN. 5/203 (West 2021).

¹¹⁵ *Id.*

¹¹⁶ IND. CODE ANN. §§ 31-11-1-4–5 (West 2021).

¹¹⁷ *Id.* at §§ 31-11-1-5, 31-11-1-7.

¹¹⁸ *Id.* at § 31-11-1-7.

¹¹⁹ *Id.*

¹²⁰ *Id.* at § 31-11-4-6.

¹²¹ IOWA CODE ANN. § 595.2 (West 2021).

¹²² *Id.*

¹²³ *Id.*

¹²⁴ *See id.*

¹²⁵ *Id.*

¹²⁶ *Id.*

¹²⁷ KAN. STAT. ANN. § 23-2505 (2010).

¹²⁸ *Id.*

¹²⁹ *See id.*

¹³⁰ *United States' Child Marriage Problem*, *supra* note 12.

¹³¹ S.B. 48, 2018 Leg., Reg. Sess. (Ky. 2018).

¹³² KY. REV. STAT. ANN. §§ 402.210, 402.205 (West 2021).

¹³³ *Id.*

¹³⁴ *Id.* at § 402.205.

¹³⁵ *Id.* at § 402.210.

¹³⁶ Mark Ballard, *Louisiana to ban marriage for children 16 and under after lawmakers agree on hotly contested bill*, THE ADVOCATE (June 6, 2019, 5:37 PM), https://www.theadvocate.com/baton_rouge/news/politics/legislature/article_810bc23c-88ab-11e9-9f26-935a2cd17062.html.

¹³⁷ LA. CIV. CODE ANN. arts. 90.1, 2333; LA. CHILD. CODE arts. 1545, 1547; see also S.B. 172, 2019 Leg., Reg. Sess. (La. 2019).

¹³⁸ LA. CHILD. CODE art. 1548 (2019).

¹³⁹ *Id.*

¹⁴⁰ LA. STAT ANN. § 9:225 (2021).

¹⁴¹ S.P. 167, 129th Leg., Reg. Sess. (Me. 2019).

¹⁴² ME. REV. STAT. ANN. tit. 19-A, § 652(8) (West 2021); *see also*, S.P. 167, 129th Leg., Reg. Sess. (Me. 2019).

¹⁴³ ME. REV. STAT. ANN. tit. 19-A, § 652 (West 2021).

¹⁴⁴ *Id.*

¹⁴⁵ Stephanie Cajigal, *Child marriage occurs in the US and threatens the well-being of girls and boys nationwide*, *UCLA researchers report*, UCLA FIELDING SCH. OF PUB. HEALTH (Apr. 17, 2018), <https://ph.ucla.edu/uclachildmarriage>.

¹⁴⁶ MD. CODE ANN., FAM. LAW § 2-301 (West 2021).

¹⁴⁷ *Id.*

¹⁴⁸ *See id.*

¹⁴⁹ MASS. GEN. LAWS ANN. ch. 207, § 25 (West 2021).

¹⁵⁰ *Id.*

¹⁵¹ Jim Morrison, *Advocates raise concerns about child marriage in Mass.*, BOSTON GLOBE (Aug. 10, 2016, 1:40 AM), <https://www.bostonglobe.com/metro/2016/08/10/advocates-raise-concerns-about-child-marriage/sx4TQNbXp4gimy502yWB4L/story.html>.

¹⁵² *United States' Child Marriage Problem*, *supra* note 12.

¹⁵³ *See* MASS. GEN. LAWS ANN. ch. 207 (West 2021).

¹⁵⁴ MICH. COMP. LAWS ANN. § 551.103 (West 2021).

¹⁵⁵ *Id.* at §§ 551.51, 551.201.

¹⁵⁶ *See id.*

¹⁵⁷ MINN. STAT. ANN. § 517.03 (West 2021).

¹⁵⁸ *Id.* at § 517.08.

¹⁵⁹ MISS. CODE ANN. § 93-1-5 (2021).

¹⁶⁰ *Id.*

¹⁶¹ *Id.*

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ David A. Lieb & Blake Nelson, *Gov. Parson signs bill to raise marriage age in Missouri*, AP NEWS (Jul. 13, 2018), <https://apnews.com/article/290d693e8db14948af58105b01c6222d>.

¹⁶⁵ MO. ANN. STAT. § 451.090 (West 2021).

¹⁶⁶ *Id.* Prior to the passage of this new law, Missouri was a destination state for child marriage. Selby, *supra* note 51. In one instance, in August 2015, a father from Idaho drove his then fifteen-year-old daughter over one thousand miles to Kansas City to marry her twenty-four-year-old rapist. *Id.* After the wedding, both the husband and father were arrested in Idaho. *Id.* The man was eventually convicted of rape and the father convicted of felony injury of a child. Eric Adler, *Hundreds of Missouri's 15-year-old brides may have married their rapists*, KANSAS CITY.COM (Jan. 2, 2019), <https://www.kansascity.com/news/state/missouri/article204292464.html>.

¹⁶⁷ *United States' Child Marriage Problem*, *supra* note 12.

¹⁶⁸ MO. ANN. STAT. § 451.090 (West 2021).

¹⁶⁹ MONT. CODE ANN. § 40-1-213 (West 2021).

¹⁷⁰ *Id.*

¹⁷¹ *Id.* at §§ 40-1-202, 40-1-213 (West 2021).

¹⁷² *Id.* at § 40-1-213.

¹⁷³ *Id.* at §§ 40-1-202–03, 40-1-213.

¹⁷⁴ NEB. REV. STAT. ANN. §§ 42-102, 42-104, 42-105 (West 2021).

¹⁷⁵ *Id.* at § 43-2101 (West 2021).

¹⁷⁶ *Id.* at § 42-104.

¹⁷⁷ NEV. REV. STAT. ANN. § 122.025 (West 2021).

¹⁷⁸ *Id.*

¹⁷⁹ *Id.*

¹⁸⁰ *United States' Child Marriage Problem*, *supra* note 12.

¹⁸¹ *Id.*

¹⁸² NEV. REV. STAT. ANN. § 122.040(2)(f) (West 2021).

¹⁸³ N.H. REV. STAT. ANN. § 457:4 (2019).

¹⁸⁴ *Id.*

¹⁸⁵ *Id.* at § 457:6.

¹⁸⁶ *Id.* at § 457:7.

¹⁸⁷ *Id.*

¹⁸⁸ *Id.* at § 457:23.

¹⁸⁹ N.J. STAT. ANN. § 37:1-6 (West 2021); *see* Daniele Selby, *New Jersey is the Second State in the US to End Child Marriage*, GLOBAL CITIZEN (June 22, 2018), <https://www.globalcitizen.org/en/content/child-marriage-ban-new-jersey/>.

¹⁹⁰ N.J. STAT. ANN. §§ 37:1-6–37:1-8 (West 2021).

¹⁹¹ *United States' Child Marriage Problem*, *supra* note 12.

¹⁹² *See* N.M. STAT. ANN. § 40-1-6 (West 2021).

¹⁹³ *Id.*

¹⁹⁴ *See id.* at § 40-1-10.

¹⁹⁵ N.Y. DOM. REL. LAW § 15-a (McKinney 2021); Susan Raqib, *Victory Against Child Marriage in New York State*, HUMAN RIGHTS WATCH (Jul. 27, 2021, 3:03PM), <https://www.hrw.org/news/2021/07/27/victory-against-child-marriage-new-york-state>.

¹⁹⁶ N.Y. DOM. REL. LAW §§ 15(a)–15-a (McKinney 2021).

¹⁹⁷ N.C. GEN. STAT. ANN. §§ 51-2–51-2.1

¹⁹⁸ *Id.*

¹⁹⁹ *See id.*

²⁰⁰ *United States' Child Marriage Problem*, *supra* note 12.

²⁰¹ N.D. CENT. CODE ANN. § 14-03-17 (West 2021).

²⁰² *Id.* at § 14-03-02 (West 2021).

²⁰³ *Id.* at § 14-03-17.

-
- ²⁰⁴ See OHIO REV. CODE ANN. §§ 3101.01–3101.02 (West 2021); The Associated Press, *Law Takes Effect Raising Ohio's Minimum Marriage Age To 18*, WOSU NEWS (Apr. 8, 2019, 9:09AM), <https://news.wosu.org/news/2019-04-08/law-takes-effect-raising-ohios-minimum-marriage-age-to-18>.
- ²⁰⁵ OHIO REV. CODE ANN. §§ 3101.01–3101.02 (West 2021).
- ²⁰⁶ *Id.* at § 3101.02.
- ²⁰⁷ *Id.* at § 3101.041.
- ²⁰⁸ *Id.* at § 3101.05.
- ²⁰⁹ OKLA. STAT. ANN. tit. 43, § 3(B)(1) (West 2021).
- ²¹⁰ *Id.* at § 3(B)(2).
- ²¹¹ *Id.* at § 5.
- ²¹² *United States' Child Marriage Problem*, *supra* note 12.
- ²¹³ OR. REV. STAT. ANN. §§ 106.010, 106.060 (West 2021).
- ²¹⁴ *See id.* at § 106.050.
- ²¹⁵ 23 PA. STAT. § 1304 (West 2021).
- ²¹⁶ Audrey McNamara, *Pennsylvania just became the third state to ban child marriage*, CBS NEWS (May 11, 2020, 8:31AM), <https://www.cbsnews.com/news/pennsylvania-child-marriage-ban-third-state/>.
- ²¹⁷ *See* 23 PA. STAT. §§ 1301-1307 (West 2021).
- ²¹⁸ R.I. GEN. LAWS ANN. § 15-2-14 (West 2021); *Rhode Island governor signs bill banning child marriage*, AP NEWS (June 7, 2021), <https://apnews.com/article/rhode-island-marriage-lifestyle-14da978b50996042e62bcd85ace>.
- ²¹⁹ R.I. GEN. LAWS ANN. § 15-2-14 (West 2021); *Rhode Island governor signs bill banning child marriage*, *supra* note 217.
- ²²⁰ *See* R.I. GEN. LAWS ANN. §§ 15-2-1–15-2-14 (West 2021).
- ²²¹ S.C. CODE ANN. § 20-1-100 (2000); *see* Jason Raven, *SC lawmakers want to raise marriage age to 18 a few years after closing loopholes*, WSPA (May 4, 2021, 6:01PM), <https://www.wspa.com/news/top-stories/sc-lawmakers-want-to-raise-marriage-age-to-18-a-few-years-after-closing-loopholes/>.
- ²²² S.C. CODE ANN. §§ 20-1-250, 20-1-260 (2021).
- ²²³ *Id.* at § 20-1-270.
- ²²⁴ S.D. CODIFIED LAWS §§ 25-1-9, 25-1-10.1, 25-1-13 (2021).
- ²²⁵ *Id.* at § 25-1-10.1
- ²²⁶ TENN. CODE ANN. §36-3-105 (West 2021); Daniele Selby, *Tennessee Just Took a Big Step Toward Ending Child Marriage*, GLOBAL CITIZEN (May 24, 2018), <https://www.globalcitizen.org/en/content/tennessee-passes-child-marriage-bill-age-17/>.
- ²²⁷ TENN. CODE ANN. §§ 36-3-105–36-3-106.
- ²²⁸ *Id.*
- ²²⁹ *United States' Child Marriage Problem*, *supra* note 12.
- ²³⁰ *See* TEX. FAM. CODE ANN. §§ 2.003, 2.009 (West 2021).
- ²³¹ *Id.* at §§ 2.005, 2.009.
- ²³² *United States' Child Marriage Problem*, *supra* note 12.
- ²³³ UTAH CODE ANN. § 30-1-2 (West 2021).

²³⁴ *Id.* at § 30-1-9.

²³⁵ *Id.*

²³⁶ *Id.*

²³⁷ *See id.* at § 30-1-8.

²³⁸ *United States' Child Marriage Problem, supra* note 12.

²³⁹ VT. STAT. ANN. tit. 18, § 5142 (West 2021).

²⁴⁰ *Id.*

²⁴¹ *See id.*

²⁴² VA. CODE ANN. §§ 16.1-331–16.1-333.1, 20-48 (West 2021).

²⁴³ *See id.*

²⁴⁴ WASH. REV. CODE ANN. § 26.04.010 (West 2021).

²⁴⁵ *See id.*

²⁴⁶ *Id.* at § 26.04.210.

²⁴⁷ *Id.* at § 26.04.160.

²⁴⁸ W. VA. CODE ANN. § 48-2-301(b) (West 2021).

²⁴⁹ *Id.* at § 48-2-301(c).

²⁵⁰ *Id.*

²⁵¹ *Id.* at § 48-2-106.

²⁵² WIS. STAT. ANN. § 765.02(2) (West 2021).

²⁵³ *Id.*

²⁵⁴ *Id.* at § 765.09(3)(a)–(b).

²⁵⁵ WYO. STAT. ANN. § 20-1-102 (West 2021).

²⁵⁶ *Id.* at § 20-1-105.

²⁵⁷ *See id.* at §§ 20-1-101–20-1-105.

²⁵⁸ D.C. CODE ANN. § 46-403 (West 2021).

²⁵⁹ *Id.* at § 46-411.

²⁶⁰ *See* D.C. CODE ANN. §§ 46-403, 46-410, 46-411.

²⁶¹ *Governor Moliga signs into law bill to increase marriage age for girls*, RNZ (Sept. 12, 2018, 12:08PM), <https://www.rnz.co.nz/international/pacific-news/366260/governor-moliga-signs-into-law-bill-to-increase-marriage-age-for-girls>; AM. SAMOA CODE ANN. § 42.0101 (2020).

²⁶² *See* AM. SAMOA CODE ANN. § 42.0103 (2020).

²⁶³ 19 G.C.A. § 3102 (West 2020).

²⁶⁴ *Id.* at § 3202(b)(1)(D).

²⁶⁵ *See id.* at § 3202.

²⁶⁶ 8 N. MAR. I. CODE § 1201 (2020).

²⁶⁷ *Id.*

²⁶⁸ *Id.* at § 1205.

²⁶⁹ P.R. LAWS ANN. tit. 31, § 242 (2011).

²⁷⁰ *Id.*

²⁷¹ *Id.* at § 232(4).

²⁷² *Id.*

²⁷³ *Id.*

²⁷⁴ *Id.*

²⁷⁵ *See id.* at § 244.

²⁷⁶ Alexandra Boyer Coffey, *12/19/2019 The U.S. Virgin Islands are THIS close to ending child marriage*, UNCHAINED AT LAST (Dec. 20, 2019), <https://www.unchainedatlast.org/12-19-2019-the-u-s-virgin-islands-are-ending-child-marriage/>; A.J. Roa, *Senate approves 30 bills in full session*, THE VIRGIN ISLANDS DAILY NEWS (Dec. 20, 2019), http://www.virginislandsdailynews.com/news/senate-approves-30-bills-in-full-session/article_86b2fb28-8613-5a7f-b209-d8103915bb81.html.

²⁷⁷ V.I. CODE ANN. tit. 16, § 36 (2021); *see Governor Bryan Takes Action on 31 Bills*, U.S. VIRGIN ISLANDS GOV'T, <https://www.vi.gov/governor-bryan-takes-action-on-31-bills/> (last visited Nov. 4, 2021); Bill 33-0109, 33d Leg., Reg. Sess. (V.I. 2019).

²⁷⁸ V.I. CODE ANN. tit. 16, § 35 (2021).

²⁷⁹ Due to the intricacies of each state's laws, the states in the same grouping may not all have equally effective laws in prohibiting/limiting child marriage. This ranking is simply a tool to provide a *general* picture of how the states' marriage laws compare to one another.

²⁸⁰ For example, Florida and Delaware are both ranked as a 3 on this graph despite having vastly different rates of child marriage in their states (between 2000 and 2018, Florida reached 17,274 child marriages, while Delaware only realized 219). *United States' Child Marriage Problem*, *supra* note 12. Nevertheless, the strength of their laws preventing child marriage are substantially similar; while they both impose relatively strict marriage age floors—Florida at seventeen-years-old with parental consent and Delaware at eighteen-years-old—neither state requires its marriage applicants to provide official proof of age prior to obtaining a marriage license.