



**Administrative Policies and Procedures: 1.24**

<b>Subject:</b>	<b>Marriage Requests for Youth in Custody of the Department of Children's Services</b>
<b>Authority:</b>	TCA 36-3-105; 37-5-105(3); 37-5-106
<b>Standards:</b>	<b>DCS Practice Standard: 10-101</b>
<b>Application:</b>	To All Department of Children's Services Employees

<b>Policy Statement:</b>	
The Commissioner or designee of DCS shall grant permission before a youth in the custody/guardianship of DCS marries.	
<b>Purpose:</b>	
To provide procedures and guidelines for employees in considering a request by a youth to marry while in DCS custody.	
<b>Procedures:</b>	
<b>A. Youth in DCS custody</b>	<ol style="list-style-type: none"> <li>1. Upon notification of the youth's wish to marry, the Family Service Worker (FSW) will counsel the youth concerning the responsibilities of marriage and any impact it will have in relation to DCS custody or guardianship.</li> <li>2. Consent for Marriage may be granted if:             <ol style="list-style-type: none"> <li>a) The youth is of legal minimum age (16) to marry in Tennessee;</li> <li>b) The youth is at least sixteen (16) years old but is less than eighteen (18) years old and has the written consent of parent(s) or guardian(s);</li> <li>c) The juvenile judge, at his/her discretion, has waived the age requirements;</li> <li>d) The marriage is for the purpose of legitimizing a child or if the marriage is otherwise in the best interest of the youth.</li> </ol> </li> <li>3. If the above criteria are met the request to marry may be submitted to the Commissioner or designee for review and approval.</li> </ol>
<b>B. Impact of Marriage on custodial episode</b>	<ol style="list-style-type: none"> <li>1. Marriage does not constitute a reason for automatic consideration for release, discharge or transfer, and the youth's custodial episode may continue.</li> <li>2. No special arrangements/conditions are automatically granted relative to the marriage, e.g, special passes and visitations, etc.</li> </ol>

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<b>C. Miscellaneous Issues</b>	<ol style="list-style-type: none"><li>1. The youth's marriage ceremony will not take place at a DCS office or facility.</li><li>2. DCS will <u>not</u> be responsible for <u>any</u> costs involved in a youth's marriage.</li><li>3. Whenever a youth marries, the FSW will ensure that the youth's case file reflects the change in name and marital status, as applicable.</li></ol>
<b>D. Youth on probation or aftercare</b>	Youth on probation or aftercare supervision will be allowed to marry at any time they may <u>legally</u> do so. However, the youth must be informed that they must notify their FSW prior to the marriage. Marriage does not result in the termination of either probation or aftercare supervision.

<b>Forms:</b>	None
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<b>Collateral documents:</b>	<i>None</i>
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