

TAMMY BOWERS BENZIE COUNTY CLERK

448 COURT PLACE – BEULAH, MI 49617 – (231) 882-9671
www.benzieco.net

MARRIAGE LICENSE PROCEDURE OUT-OF-STATE APPLICANTS

The Affidavit requires that you be married in Benzie County, Michigan **ONLY**. If you are going to be married in another county in Michigan, you must apply for your marriage license in that county.

On the Affidavit for License to Marry, please type or print **CLEARLY** in ink. We need the full names, including the surname (maiden) name, of both parents and the state **ONLY** where they were born. Do not leave any spaces blank.

The addresses that are applied to the Affidavit, **MUST** match the addresses that are on your driver's licenses, even though you may have moved or may be moving and have not changed your address on your driver's license.

BOTH PARTIES' SIGNATURES MUST BE NOTARIZED.

The box regarding the educational materials should only be checked upon receipt of the materials by our office. These materials will be provided to you when you pick up your license.

Return the Affidavit with ***copies of both driver's licenses***, and a \$30.00 check or money order, payable to Benzie County Clerk to the address shown above. Allow enough mailing time for preparation of the license.

The marriage license is valid for 33 days after the application is received in our office. There is a three-day waiting period, from the time the Affidavit is received in our office until you pick it up. Upon request to the County Clerk, the three-day waiting period may be waived with an additional fee of \$50.00.

Please call us at 231-882-9671 if you have any questions. Our office hours are Monday through Friday 8:00 AM to 5:00 PM.

GETTING MARRIED IN MICHIGAN? WHAT YOU NEED TO KNOW....

Who can marry....

To be able to marry you must not be married to someone else. (MCL 551.5) *If you have been married before, you may be asked to document that the earlier marriage has ended due to death, divorce or annulment.*

To obtain a Michigan marriage license the couple must be 18 years of age or older and be able to enter into legal contracts. (MCL 551.103)

As proof of age, the person who intends to be married, in addition to the statement of age in the application, when requested by the county clerk, shall submit a birth certificate or other proof of age.

Where to apply and where to marry....

If either of the couple are Michigan residents, they must apply with the county clerk where one or both have legal residence. Once the license is issued, Michigan residents can marry anywhere in the state. (MCL 551.101)

If neither of the couple lives in Michigan, they must apply with the county clerk where the marriage ceremony is to be performed. Once issued, the license can be used only in the issuing county. (MCL 551.101)

*In either case, **the use of a Michigan License is not valid outside the State of Michigan.***

Who can you marry....

There are restrictions on who someone can marry. (MCL 551.3 and 551.4)

An individual shall not marry the individual's parent, sibling, grandparent, child, grandchild, stepparent, grandparent's spouse, child's spouse, grandchild's spouse, spouse's parent, spouse's grandparent, spouse's child, spouse's grandchild, sibling's child, parent's sibling, or cousin of the first degree.

The three day waiting period....

Generally, a marriage license is not issued for a period of three days from the date of the application. Applicants can, however, request a waiver of the three day waiting period from the clerk issuing the license. (MCL 551.103a)

Special notice of perjury....

*Note that the application for a marriage license is a sworn affidavit. Making false statements in the marriage license affidavit is **an act of perjury** which is a prosecutable offense. (MCL 551.108)*