

## MARRIAGE INFORMATION

### A License issued in the State of New York is only valid in New York State

- BOTH PARTIES MUST BE PRESENT WHEN APPLYING FOR A MARRIAGE LICENSE
- APPLICANTS MUST OBTAIN THE LICENSE AT LEAST 24 HOURS PRIOR TO THE MARRIAGE
- LICENSE IS VALID FOR 60 CALENDAR DAYS
- THERE IS A \$40 FEE, PAYABLE BY CASH, MONEY ORDER OR CHECK IF FROM A LOCAL BANK, CREDIT/DEBIT CARD (additional fees apply)
- EACH APPLICANT MUST FILL OUT A MARRIAGE WORKSHEET
- APPLICANTS MUST PRESENT IDENTIFICATION (One of the following):

- VALID DRIVER'S LICENSE
- VALID GOVERNMENT ISSUED PHOTO ID (Military/Benefit Card/Non-Driver ID)
- PASSPORT
- IMMIGRATION RECORD
- EMPLOYMENT PICTURE ID

And (one of the following):

- BIRTH CERTIFICATE (must have parents' names on them)
- BAPTISMAL RECORD
- NATURALIZATION RECORD
- CENSUS RECORD

- IF PREVIOUSLY MARRIED, DIVORCE PAPERS THAT ARE SIGNED AND DATED BY A COURT MUST BE PRESENTED FOR EACH PREVIOUS MARRIAGE
- PROFESSIONAL TRANSLATION WILL BE REQUIRED FOR ANY DOCUMENTATION IN A FOREIGN LANGUAGE.
- APPLICANTS MAY CHOOSE THEIR OWN OFFICIANT. WE ARE NOT REQUIRED TO CHECK CREDENTIALS. IT IS THE RESPONSIBILITY OF THE OFFICIANT TO OBTAIN THE NECESSARY ACCREDITATION.
- AGE REQUIREMENTS:
  - If either applicant is under 17 years of age, a marriage license cannot be issued.
  - If either applicant is 17 years of age, such applicant(s) must present the written consent of both parents and a justice of the Supreme Court or a judge of the Family Court having jurisdiction over the town or city in which the application is made.
  - If both applicants are 18 years of age or older, no consents are required.
  - One parent alone may consent to a minor's marriage if:
    - The other parent has been missing for one year preceding the application;
    - The parents are divorced, and the consenting parent was given sole custody of the child when the divorce decree was awarded;
    - The other parent has been judged incompetent; or the other parent is deceased.
    - Parents, guardians or other people consenting to the marriage of a minor must personally appear and acknowledge or execute their consent before the town or city clerk or some other authorized official. If the notarized affidavit is made before an official outside of the State of New York, it must be accompanied by a certificate of authentication when the consent is filed in New York State.

**MARRIAGE LICENSES WILL BE ISSUED DURING THE FOLLOWING HOURS AND ARE BY APPOINTMENT ONLY.**

*8:30 AM to 11:30 AM and 1:30 PM to 2:30 PM Monday through Friday*

*Exceptions will be at the discretion of the City Clerk/Deputy City Clerk*

**JUDGES, TOWN JUSTICES & MINISTERS**

<b>Mike</b>	<b>Misiaszek</b>	City Judge	315-266-4740
<b>James</b>	<b>Betro</b>	Acting City Judge	315-363-3602
<b>Gary</b>	<b>Spraker</b>	Reverend	315-264-3090

## **The Marriage License**

### **Where do you get a marriage license?**

A couple who intends to be married in New York State must apply in person for a marriage license to any town or city clerk in the state. The application for a license must be signed by both applicants in the presence of the town or city clerk. A representative cannot apply for the license on behalf of the applicant. This applies even if the representative has been given a Power of Attorney.

Notarized marriage license affidavits signed by the applicants cannot be substituted for their personal appearance.

### **Is there a waiting period?**

Yes. Although the marriage license is issued immediately, the marriage ceremony may not take place within 24 hours from the exact time that the license was issued.

The 24-hour waiting period may be waived by a judge or justice of the Supreme Court of New York State or the county judge of the county in which either party to be married resides, or if such party is at least seventeen years of age, the judge of the Family Court of such county.

### **How long is the license valid?**

A marriage license is valid for 60 calendar days, beginning the day after it is issued.

### **How much does the license cost?**

If the marriage license is issued by a town or city clerk in New York State outside of New York City, it costs \$40. This fee includes the issuance of a Certificate of Marriage Registration. This certificate is automatically sent by the issuing clerk to the applicants within 15 calendar days after the completed license is returned by the officiant (person who performs the marriage ceremony). It serves as notice that a record of the marriage is on file. Couples who do not receive a Certificate of Marriage Registration within four weeks of the wedding should contact the town or city clerk who issued the license.

If the license is to be issued by the City Clerk of the City of New York, please contact the New York City Clerk's Office for current fees and requirements. The City Clerk's Office can be reached at (212) NEW-YORK or via its web site at [New York City Marriage Bureau](#).

### **Is a premarital physical exam required?**

No premarital examination or blood test is required to obtain a marriage license in New York State.

## **Who can get married?**

### **Age Requirements**

- If either applicant is under 17 years of age, a marriage license cannot be issued.
- If either applicant is 17 years of age, such applicant(s) must present the written consent of both parents and a justice of the Supreme Court or a judge of the Family Court having jurisdiction over the town or city in which the application is made.
- If both applicants are 18 years of age or older, no consents are required.
- One parent alone may consent to a minor's marriage if:
  - The other parent has been missing for one year preceding the application;
  - The parents are divorced and the consenting parent was given sole custody of the child when the divorce decree was awarded;
  - The other parent has been judged incompetent; or the other parent is deceased,
  - Parents, guardians or other people consenting to the marriage of a minor must personally appear and acknowledge or execute their consent before the town or city clerk or some other authorized official. If the notarized affidavit is made before an official outside of the State of New York, it must be accompanied by a certificate of authentication when the consent is filed in New York State.

### **Proof of Age and Identity**

A person is required to provide proof of age by submitting to the issuing clerk an age-related document showing the date of birth, such as those listed below. Each clerk's office sets its own requirements, please check with the office where you plan to purchase your license.

1. Birth Certificate
2. Baptismal record
3. Naturalization record
4. Census record

A person must establish identity. Identity related documents:

1. Driver's license
2. Passport
3. Employment picture ID
4. Immigration record

### **Familial Restrictions**

A marriage may not take place in New York State between an ancestor and descendant, siblings (full or half blood), an uncle and niece or nephew or an aunt and niece or nephew, regardless of whether or not these persons are legitimate or illegitimate offspring.

### **Previous Marriages**

Information regarding previous marriages must be furnished in the application for a marriage license. This includes whether the former spouse or spouses are living, and whether the applicants are divorced and, if so, when, where and against whom the divorce or divorces were granted. A certified copy of the Decree of Divorce or a Certificate of Dissolution of Marriage may be required by the clerk issuing the marriage license.

## Surname Options

Every person has the right to adopt any name by which he or she wishes to be known simply by using that name consistently and without intent to defraud. A person's last name (surname) does not automatically change upon marriage, and neither party to the marriage is required to change his or her last name. Parties to a marriage need not take the same last name.

One or both parties to a marriage may elect to change the surname by which he or she wishes to be known after the marriage by entering the new name in the appropriate space provided on the marriage license. The new name must consist of one of the following options:

- the surname of the other spouse;
- any former surname of either spouse;
- a name combining into a single surname all or a segment of the premarriage surname or any former surname of each spouse;
- a combination name separated by a hyphen, provided that each part of such combination surname is the premarriage surname, or any former surname, of each of the spouses.

The use of this option will provide a record of your change of name. The marriage certificate, containing the new name, if any, is proof that the use of the new name, or the retention of the former name, is lawful. The local Social Security Administration office should be contacted so that its records and your social security identification card reflect the name change. There is no charge for this service.

To change the name on your NYS driver license or non-driver identification, contact the Department of Motor Vehicles for information.

Whether you decide to use or not use this option at the time of your marriage license application, you still have the right to adopt a different name through usage at some future date. However, your marriage license cannot be changed to record a surname you decide to use after your marriage.

If you plan to use your married name at work, be sure to have your name changed in Social Security records. This way, you will get credit for all your earnings. It's easy and it's absolutely free. Contact any Social Security office. You can find the address and phone number of your local Social Security Office at <http://www.ssa.gov>. You will need documentary evidence showing both your old name and your new name.

## Where can a marriage take place?

A New York State marriage license may be used within New York State only. Please note that if you go out of New York State to be married, your New York State marriage license will not be filed in New York State.

## **What about the ceremony?**

There is no particular form or ceremony required except that the parties must state in the presence of an authorized public official or authorized member of the clergy and at least one other witness that each takes the other as his or her spouse. There is no minimum age for a witness. However, in selecting a witness, choose at least one person who you feel would be competent to testify in a court proceeding as to what he or she witnessed.

## **Who can perform a marriage ceremony?**

To be valid, a marriage ceremony must be performed by any of the individuals specified in Section 11 of the New York State Domestic Relations Law. These include:

- The current or a former governor;
- the mayor of a city or village;
- the former mayor, the city clerk or one of the deputy city clerks of a city of more than one million inhabitants;
- a marriage officer appointed by the town or village board or the city common council;
- a justice or judge of the following courts: the U.S. Court of Appeals for the Second Circuit, the U.S. District Courts for the Northern, Southern, Eastern or Western Districts of New York, the New York State Court of Appeals, the Appellate Division of the New York State Supreme Court, the New York State Supreme Court, the Court of Claims, the Family Court, a Surrogates Court, the Civil and Criminal Courts of New York City (including Housing judges of the Civil Court) and other courts of record;
- a village, town or county justice;
- a member of the clergy or minister who has been officially ordained and granted authority to perform marriage ceremonies from a governing church body in accordance with the rules and regulations of the church body;
- a member of the clergy or minister who is not authorized by a governing church body but who has been chosen by a spiritual group to preside over their spiritual affairs;
- other officiants as specified by Section 11 of the Domestic Relations Law.

The person performing the ceremony must be registered with the City of New York in order to perform a ceremony within the New York City limits. The officiant does not have to be a resident of New York State. Ship captains are not authorized to perform marriage ceremonies in New York State.

**STATE OF NEW YORK  
MARRIAGE WORKSHEET**

COUNTY  
CITY  
DISTRICT #  
REG #

Madison  
Oneida  
2601

Date of Marriage \_\_\_\_\_

FULL CURRENT NAME (First/Middle/Last):  
BIRTH SURNAME: (If Different)  
NAME AFTER MARRIAGE (Middle/Last only)  
SOCIAL SECURITY #:

RESIDENCE:

Street Address: \_\_\_\_\_

City/Town/Village: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code \_\_\_\_\_

County: \_\_\_\_\_

Is Residence within a City or Incorporated Village: \_\_\_\_\_

YES

NO

PHONE #:

( ) \_\_\_\_\_

DATE OF BIRTH:

SEX/GENDER (Optional):

AGE: \_\_\_\_\_

MALE

FEMALE

OTHER

EMPLOYMENT:

Usual Occupation: \_\_\_\_\_

Type of Business/Industry: \_\_\_\_\_

PLACE OF BIRTH:

City

State

Country

NAME OF PARENT:

Country of Birth: \_\_\_\_\_

USA

Other

NAME OF PARENT:

(Maiden Name If applicable)

Country of Birth: \_\_\_\_\_

USA

Other

NUMBER OF THIS MARRIAGE:

PREVIOUS MARRIAGES:

Number of previous marriages ended by: \_\_\_\_\_

Divorce

Annulment

Death

Date Last Marriage Ended (Filing Date): \_\_\_\_\_

Are any former spouses alive: \_\_\_\_\_

YES

NO

IF PREVIOUSLY DIVORCED/ANNULLED:

1ST  
2ND  
3RD  
4TH

Date	City/State/Country	Against

ADDRESS WHERE OFFICIAL CERTIFICATE IS TO BE MAILED:

SIGNATURE:

**STATE OF NEW YORK  
MARRIAGE WORKSHEET**

COUNTY  
CITY  
DISTRICT #  
REG #

Madison  
Oneida  
2601

Date of Marriage \_\_\_\_\_

FULL CURRENT NAME (First/Middle/Last):  
BIRTH SURNAME: (If Different)  
NAME AFTER MARRIAGE (Middle/Last only)  
SOCIAL SECURITY #:

RESIDENCE:

Street Address: \_\_\_\_\_

City/Town/Village: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code \_\_\_\_\_

County: \_\_\_\_\_

Is Residence within a City or Incorporated Village:

YES

NO

PHONE #:

( ) \_\_\_\_\_

DATE OF BIRTH:

SEX/GENDER (Optional):

AGE: \_\_\_\_\_

MALE

FEMALE

OTHER

EMPLOYMENT:

Usual Occupation: \_\_\_\_\_

Type of Business/Industry: \_\_\_\_\_

PLACE OF BIRTH:

City

State

Country

NAME OF PARENT:

Country of Birth: \_\_\_\_\_

USA

Other

NAME OF PARENT:

(Maiden Name If applicable)

Country of Birth: \_\_\_\_\_

USA

Other

NUMBER OF THIS MARRIAGE:

PREVIOUS MARRIAGES:

Number of previous marriages ended by: \_\_\_\_\_

Divorce

Annulment

Death

Date Last Marriage Ended (Filing Date): \_\_\_\_\_

Are any former spouses alive: \_\_\_\_\_

YES

NO

IF PREVIOUSLY DIVORCED/ANNULLED:

	Date	City/State/Country	Against
1ST			
2ND			
3RD			
4TH			

ADDRESS WHERE OFFICIAL CERTIFICATE IS TO BE MAILED:

SIGNATURE: