

# New Jersey Marriage Officiant Guide

**Marriage Officiants:** Under New Jersey law, “every member of the clergy of every religion ... may join together in marriage or civil union such persons according to the rules and customs of the society, institution or organization,” including non-resident Officiants. (See reverse for complete text.) The Officiant must complete a certificate of marriage and return it to the issuing clerk.

**Marriage Ceremony:** The marriage ceremony can be performed anywhere in New Jersey by:

- Any Federal, State, or Municipal judge or magistrate (even if they are retired);
- Any county clerk;
- Any mayor or deputy mayor of a town;
- Chairman of any township committee; or
- Any ordained minister of any religion.

The individual performing the ceremony must file the license with the registrar in the municipality where the marriage took place within five days after the wedding ceremony.

## MARRIAGE LICENSE INFORMATION

*Much of the information below is state law in New Jersey; however, this information can vary by location, and is subject to change. We recommend contacting the issuing clerk's office before applying for your marriage license.*

**Marriage License ID Requirement:** Any of the following documents will be accepted from the parties to the marriage:

- Valid driver's license;
- A lease; or
- A tax return.



**You must also provide the full name and complete mailing address of the Officiant who will perform the ceremony.**

**Residency Requirement:** Some towns will require proof of residency. Requirements may vary by county.

**Application Requirement:** If either party to the marriage is a resident of New Jersey, the license may be obtained in the town where either partner lives. If both parties to the marriage are from out of state, apply at the municipal office of the town where the ceremony will take place.

**If Divorced:** If either party was married before, they must show that they have gotten divorced or had the previous marriage annulled.

**Fees:** \$28.00 (Cash Only).

**Waiting Period:** Three days after issuance of marriage license.

**Blood Tests:** Not required.

**Under 18:** Applicants must both be at least 18 years old, with the following exception:

- Applicants under age 18 can marry if both parents consent to the marriage. The consent must be given under oath in front of two witnesses.
- Male, age 16 or younger: Parties may marry with parental consent and/or permission of judge. Younger parties may obtain license in case of pregnancy or birth of child.
- Female, age 16 or younger: Parties may marry with parental consent and/or permission of judge. Younger parties may obtain license in case of pregnancy or birth of child.

**Same-Gender Marriages:** Permitted.

**Valid:** A New Jersey marriage license is valid for 30 days. A marriage license issued in New Jersey may only be used within the State of New Jersey.

***For additional information, please visit [FirstNationMinistry.org](http://FirstNationMinistry.org)***

*The above information is believed to be correct, but does not purport to be legal advice, is not all-inclusive and shall be used only as a guide. Under the terms specified in your ordination, you are solely responsible for becoming familiar with and complying to all current laws and regulations in effect within the jurisdiction in which you will conduct ceremonies.*

# New Jersey Permanent Statute 37:1-13

## 37:1-13 Authorization to solemnize marriages and civil unions.

**a. Authorization to solemnize marriages and civil unions.** Each judge of the United States Court of Appeals for the Third Circuit, each judge of a federal district court, United States magistrate, judge of a municipal court, judge of the Superior Court, judge of a tax court, retired judge of the Superior Court or Tax Court, or judge of the Superior Court or Tax Court, the former County Court, the former County Juvenile and Domestic Relations Court, or the former County District Court who has resigned in good standing, surrogate of any county, county clerk, and any mayor or former mayor not currently serving on the municipal governing body or the deputy mayor, when authorized by the mayor, or chairman of any township committee or village president of this State, every member of the clergy of every religion, and any civil celebrant who is certified by the Secretary of State to solemnize marriages or civil unions as set forth in Subsection B of this section, are hereby authorized to solemnize marriages or civil unions between such persons as may lawfully enter into the matrimonial relation or civil union; and every religious society, institution or organization in this State may join together in marriage or civil union such persons according to the rules and customs of the society, institution or organization.

**b.** A civil celebrant shall be authorized to solemnize marriages or civil unions if certified to do so by the Secretary of State.

(1) A civil celebrant shall receive a certification from the Secretary of State to solemnize marriages or civil unions if the celebrant:

(a) is at least 18 years of age and has graduated from a secondary school in this State or another state;

(b) has completed a civil celebrant course offered by a non-denominational or educational charitable organization that is registered with the State under the "Charitable Registration and Investigation Act," P.L.1994, c.16 (C.45:17A-18 et seq.), and which course:

(i) includes classes that meet weekly or with more frequency, either administered in person or by other means, over a period of not less than six months; and

(ii) educates on topics including, but not limited to, celebrant philosophy and history, ceremonial structure, and ceremonial presentations; and

(c)(i) submits a completed application form, developed by the secretary pursuant to regulation, which includes the name and address of the celebrant-applicant along with any other relevant information on the celebrant-applicant required by the secretary, and supporting documentation with respect to all certification requirements set forth in this subsection; and

(ii) pays to the Department of State, at the time of submitting the completed application, a fee of not less than \$50 or more than \$75, as determined by the secretary by regulation, to cover costs for processing applications, producing and issuing certificates, and maintaining records on applications and certificates issued or denied.

(2)(a) A celebrant-applicant shall not be authorized to solemnize marriages or civil unions until the application for certification is approved and the certificate received from the secretary.

(2)(b) A civil celebrant who has received a certification from the secretary may have that certification revoked, through a hearing before an administrative law judge, if the secretary determines that any information provided in the celebrant's application was inaccurate or otherwise did not comply with the certification requirements set forth in this subsection. A civil celebrant subject to a revocation hearing before an administrative law judge or any appeal thereof shall not be authorized to solemnize marriages or civil unions, and shall only again be authorized to do so if a final determination is made permitting the civil celebrant to retain the certification.

*Amended 1948, c.334, s.1; 1949, c.7, s.1; 1953, c.34, s.3; 1964, c.68; 1965, c.36; 1976, c.36; 1979, c.38; 1979, c.93; 1979, c.166, s.1; 1983, c.159; 1983, c.503; 1989, c.111; 1991, c.404; 1993, c.126; 1993, c.324; 1998, c.24; 2001, c.143; 2006, c.103, s.17; 2013, c.242; 2013, c.243.*

### 37:1-13.1. Marriages solemnized by municipal magistrate or magistrate of municipal court; validation

All marriages heretofore solemnized by any municipal magistrate or magistrate of the municipal court who was not at the time of such solemnization authorized to solemnize marriages shall, if otherwise valid, be as valid as if same had been solemnized by a person authorized to solemnize marriages.

*L. 1949, c. 7, p. 31, s. 2, eff. March 29, 1949.*

### 37:1-13.2. Marriages solemnized by judge of court of record; validation

All marriages heretofore solemnized by any judge of a court of record in this State, who was not at the time of such solemnization authorized to solemnize marriages, if otherwise valid, shall be as valid as if the same had been solemnized by a person authorized to solemnize marriages.

*L. 1962, c. 93, s. 1, eff. June 25, 1962.*

**New Jersey Department of Health  
Office of Vital Statistics and Registry  
Post Office Box 370  
Trenton, New Jersey 08625-0370**

## **ENTERING INTO A MARRIAGE OR CIVIL UNION IN NEW JERSEY**

*If you are entering into a Marriage or Civil Union in New Jersey, you will find information in this brochure which will be helpful to you. Read it carefully.*

*If you have any questions, please contact your local Registrar of Vital Statistics. A list of local Registrars is available at: [www.nj.gov/health/vital/regbycnty.shtml](http://www.nj.gov/health/vital/regbycnty.shtml)*

### ***Where should you apply for a marriage or civil union license?***

The marriage or civil union license must be obtained from the registrar in the New Jersey municipality in which either applicant resides, if one or both is resident of New Jersey. (For these purposes, soldiers are residents of the posts at which they are stationed.) A license issued under the preceding circumstances is good for use anywhere in the State of New Jersey.

If *both parties* are *not residents* of New Jersey, the license must be obtained from the Registrar of the municipality *where the ceremony is to be performed* and is **only** good for use in that municipality.

***A New Jersey marriage or civil union license may never be used outside  
of the State of New Jersey and a license issued in another state  
may never be used within the State of New Jersey.***

Be sure to contact the Registrar well in advance of the ceremony to find out on what days and during what hours the Registrar will be in the office. ***The marriage or civil union license fee is \$28.00.***

### ***Who can perform a marriage or civil union ceremony?***

Each judge of the United States Court of Appeals for the Third Circuit, each judge of a federal district court, United States magistrate, judge of a municipal court, judge of the Superior Court, judge of a tax court, retired judge of the Superior Court or Tax Court, or judge of the Superior Court or Tax Court, the former County Court, the former County Juvenile and Domestic Relations Court, or the former County District Court who has resigned in good standing, surrogate of any county, county clerk and any mayor or the deputy mayor when authorized by the mayor, or chairman of any township committee or village president of this State, and every minister of every religion, are hereby authorized to solemnize marriages or civil unions between such persons as may lawfully enter into the matrimonial relation or civil union; and every religious society, institution or organization in this State may join together in marriage or civil union such persons according to the rules and customs of the society, institution or organization (Title 37:1-13).

### ***When should you apply for a marriage or civil union license?***

A local Registrar will not issue a marriage or civil union license sooner than 72 hours after the application for a license has been made, unless ordered to do so via a Superior Court order. If the ceremony is

scheduled for a Saturday or Sunday, the application should be made no later than the preceding Tuesday. If the application is made on a Wednesday or Thursday, the 72 hours will end on Saturday or Sunday, but the Registrar will probably not be available on those days or any public holiday. If both parties are unavailable to complete the application at the same time, either applicant may complete his/her part of the application and start the waiting period. The other applicant must return with the same witness (who must be at least 18 years old) to complete his/her part of the application.

***The application must be completed by both parties before the license will be issued.  
The application is valid for six months from the date filed.***

Once the license is issued, it is good for 30 days from the date of issuance. A couple wishing to have both religious and civil ceremonies may be issued a license for both ceremonies on the basis of a single application. However, a couple wishing to have two religious ceremonies, and wanting to have a public record of each, may not have two licenses issued at the same time. They must apply for and use the first license. They must then return to the Registrar with the signed original certificate and a witness to apply for a remarriage or reaffirmation of civil union license.

### ***What should you bring with you when you apply?***

#### **Required documents when applying for a marriage license:**

1. Proof of identify by presenting your driver's license, passport or state/federal ID.
2. Proof of your residency.
3. Your Social Security card or Social Security number.\*
4. A witness, who must be 18 years of age or older.
5. The \$28 application fee.

\* — Social Security number is required by law for U.S. citizens and will be kept confidential.  
Any documents in a foreign language must be accompanied by a certified English translation.

#### **Requested additional documents (these documents are helpful but not required):**

1. A copy of your birth certificate to establish your parents' names and related birth information.
2. If you are divorced, have had a previous civil union dissolved, domestic partnership terminated or have had a marriage or a civil union annulled, please bring the decree(s) or the annulment documents.
3. If your former spouse/civil union or domestic partner is deceased, please bring the death certificate.

Each applicant must supply valid identification that establishes name, age, date of birth and proof of residency. This may be supplied by one or more documents issued by a government agency, such as a certified copy of a birth certificate, driver's license, military identification, passport or state/county identification card.

### ***Where should the marriage or civil union record be filed?***

The person performing the ceremony must file the license and certificate with the Registrar of the municipality in which the ceremony was performed. Since failure to record the certificate may cause considerable inconvenience at a later date when proof of certificate is needed, you should make sure that this has been done.

Certified copies of the marriage or civil union event may be obtained from the local Registrar in the municipality where the ceremony occurred or from the State Office of Vital Statistics and Registry.