

Vermont Marriage Officiant Guide

Officiants: Ordained ministers residing in this state may perform marriages without registering. Non-resident ordained ministers may perform marriages only with the authorization of the probate court of the district within which the marriage is to take place. Ministers must complete the marriage license and certificate of marriage and return it to the clerk's office from which it was issued within ten days from the date of the marriage.

Marriage Ceremony: A marriage ceremony can be performed by a Vermont judge, Supreme Court justice, assistant judge, justice of the peace, or an ordained or licensed minister, rabbi or priest residing in Vermont or authorized by their denomination. If the officiant does not reside in Vermont, or is not recognized by the State of Vermont, they must file for a permit from a Probate Court in the county where the marriage will take place.

The bridal couple must deliver the license to the Officiant before the marriage can be performed. After the ceremony, the Officiant must complete the license, sign it, and return it to the town clerk's office within ten days of the ceremony so that the marriage may be officially registered.

MARRIAGE LICENSE INFORMATION

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

ID Requirement: Valid picture ID and a certified copy of a birth certificate must be presented.

You must know your legal town of residence and your place and date of birth; you will also need to know your parents' names, including your mother's maiden name, and the states where your parents were born. (A certified copy of your birth certificate can supply most of this information.)

Vermont law requires that at least one of the parties to the marriage must sign in the presence of the town clerk, certifying that all facts are correct; however, most town clerks prefer to see both parties in person before issuing a license to marry, as the law requires that the clerk is satisfied that both parties are free to marry under Vermont laws. The clerk may legally request documented proof of your statements; for example, birth certificates, divorce decrees, etc. (18VSA, 5141).

If Previously Married: If you are a widow or widower, you are free to marry. You will be asked the date your spouse died. If you are divorced, you may remarry after the date on which your previous marriage is dissolved.

Residency Requirement: If both parties to the marriage are residents of Vermont, you may obtain your license from the Town Clerk in the town of residence of either party. If only one of you is a resident, go to the Town Clerk of the Vermont resident. Your marriage license is valid anywhere in Vermont.

If neither of you is a resident of Vermont, you must go to the town clerk in the county in which you will be married. You will need to bring:

- Proof of age (birth certificate)
- If divorced, a copy of divorce decree
- If widowed, spouse's death certificate

Application Requirement: Both parties to the marriage must appear in person at the time of applying.

Proxy Marriages: Not permitted. Both parties to the marriage must be present.

Fees: \$20+ (Cash Only).

Waiting Period: No waiting period required.

Blood Tests: No blood test requirement.

Under 18: If you are at least 16 years of age, but under age 18, you must obtain the consent of a parent or guardian. Anyone under guardianship may not marry without the guardian's written consent.

Cousin Marriage: Permitted under certain conditions. Vermont does not allow marriage between most close relatives. Check with the town clerk for more information.

Same Sex Marriage: Permitted.

Miscellaneous: You will need a copy of your marriage certificate if you want to change your name legally (i.e., for Social Security, etc.). You may request (in person or in writing) a copy of the marriage certificate from the town clerk two weeks after the ceremony.

You cannot marry in Vermont to evade the laws of the state where you live. You cannot marry if either of you is currently married to someone else. The law also requires that both parties be of sound mind.

Valid: A Vermont marriage license is valid for 60 days. The marriage license can only be used (solemnized) within the State of Vermont.

For additional information, please visit www.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.

PETITION FOR NON-RESIDENT MINISTER TO PERFORM MARRIAGE CEREMONY

TO THE HONORABLE PROBATE COURT WITHIN AND FOR SAID DISTRICT:

Now comes _____

of _____ and respectfully states that in accordance with Title 18, § 5144 of the Vermont Statutes Annotated, he/she hereby applies for Special Authorization to solemnize the marriage in _____ now planned for

(TOWN)

_____ between _____
(DATE)

of _____
(MAILING ADDRESS)

and _____

of _____
(MAILING ADDRESS)

That the petitioner is a regularly ordained Minister of the First Nation Church, and is currently serving as a ceremonial minister in _____ and that said Petitioner
(TOWN)
is a minister in good standing.

Dated at _____, this ____ day of _____, 2018.

Tel: _____
(SIGNATURE)

Subscribed and sworn to before me at _____,
this _____ day of _____, 2018.

(NOTARY PUBLIC)

RETURN TO:

FILING FEE: \$50.00

**PLEASE ALSO INCLUDE
PROOF OF ORDINATION**

PLEASE PRINT LEGIBLY OR TYPE

STATE OF VERMONT SOLEMNIZING MARRIAGES

Before the ceremony, one of the parties to the proposed marriage must have applied to the town clerk of the town where either party resides or, if neither is a resident of the state, to any town clerk to obtain an application for a license. The application must be signed by one of the parties to the proposed marriage. Vermont law does not require a medical certificate, blood test or a waiting period. Once a license is obtained, the marriage can be celebrated anywhere in Vermont. 18 V.S.A. § 5145.

The marriage must be completed within sixty days of the issuance of the license or certificate. If the ceremony is delayed for more than sixty days, a new license must be applied for and issued.

An official who solemnizes marriages must complete a section on the form and return it to the town clerk who issued it within ten days of the ceremony. 18 V.S.A. § 5131. The official must sign the form and include his/her official title (i.e. Justice of the Peace, Minister, Temporary Officiant).

State law is silent on the mechanics of wedding ceremonies. Some authorities say that a minimum ceremony could be as short as saying, "By the authority vested in me by the State of Vermont, I now pronounce you husband and wife" (or some variant of that phrase) or "By the authority vested in me by the State of Vermont, I hereby join you in civil marriage." By signing the license the official is certifying that the parties entered into the marriage with mutual consent. Parties are free to discuss with the officiant their own ideas of what they want in a ceremony.

For those wanting a more formal civil marriage ceremony, a possible ceremony could include the following:

Officiant: We are here to join _____ and _____ in civil marriage. *(Then to each in turn, giving names as appropriate)*

Will you ____ have ____ to be united as one in your civil marriage?

Response: I will.

Officiant: *(Then to each in turn, giving names as appropriate)* Then repeat after me: "I ____ take you ____ to be my spouse in our civil marriage, to have and to hold from this day on, for better, for worse, for richer, for poorer, to love and to cherish forever."

(Then, if rings are used, each in turn says, as the ring is put on)

"With this ring I join with you in this our civil marriage."

Officiant: By the power vested in me by the State of Vermont, I hereby join you in civil marriage.





Getting Married in Vermont

Questions and Answers to Help You Plan Your Vermont Wedding

Who can get married in Vermont? Two people who are each at least 18 years old can obtain a civil marriage in Vermont. If you are at least 16, but under 18, you will need the consent of a parent or guardian. Your parent or guardian should go with you to the town clerk's office to sign an affidavit giving you permission to marry. (The affidavit is on the back of the marriage license and is a legal part of the license.) **By Vermont law, no one under the age of 16 may marry in Vermont.**

Are there any other marriage restrictions? Anyone under guardianship cannot marry without the guardian's written consent. Vermont also does not allow marriage between most close relatives. You cannot marry a parent, grandparent, sister, brother, child, grandchild, niece, nephew, aunt or uncle. You cannot marry if either of you is currently married to someone else, or if either of you is joined in a civil union to someone else. The law requires that both parties be of sound mind.

Do we need a marriage license? Do we need blood tests? You will need a license, but you do not need blood tests, and there is no waiting period.

Where do we get a marriage license and how much does it cost? Licenses are issued by Vermont town clerks. If both parties are Vermont residents, you may go to the town clerk in either of your towns of residence. If just one of you resides in a Vermont town, you must buy the license in that town. **The license costs \$60**, and is valid for 60 days from the date it is issued. During that time period, an authorized person must perform your wedding ceremony — otherwise, the license is void.

What if we are not Vermont residents? If neither party is a Vermont resident, you may get the license from any town clerk in the state.

What information must we provide to get a marriage license? Besides basic information about yourselves (names, towns of residence, places and dates of birth), you must also provide your parents' names, including your mothers' birth (maiden) names, and their places of birth. (Certified copies of your birth certificates can supply most of this information). Vermont law requires that at least one of you sign the license in the presence of the town clerk, certifying that all the information you provided is correct. However, most town clerks prefer to see both of you in person before issuing your license. The law requires that town clerks satisfy themselves that you are both free to marry under Vermont laws. Therefore, they may legally ask to see documented proof of your statements (birth certificates, divorce/dissolution decrees, death certificates, etc.). You will also be asked to provide the number of previous marriages and civil unions, and how and when they ended. This information is confidential and does not become part of the marriage certificate.

What if either of us were married or in a civil union before? If your husband, wife or civil union partner has died, you are free to marry. The clerk will ask the date your spouse or civil union partner died. If you are divorced, you may remarry after the date on which your previous marriage or civil union was legally dissolved. If you are partners in an existing civil union, you are free to marry one another.

**VT Dept. of Health · Vital Records Unit · 108 Cherry Street, PO Box 70, Burlington, VT 05402
863-7275 or 800-439-5008**

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Can a license be issued through the mail? Can we be married by proxy? No. A marriage license cannot be issued through the mail, and you cannot be married by proxy.

Where can we get married? With a valid Vermont license, you can be married anywhere in Vermont, but only in Vermont.

Who can marry us? Do we need witnesses? A Supreme Court justice, a superior court judge, a district judge, a judge of probate, an assistant judge, a justice of the peace or an ordained or licensed member of the clergy residing in Vermont can perform your wedding ceremony. A clergy person residing in an adjoining state or country can marry you if his or her church, temple, mosque, or other religious organization lies wholly or partly in Vermont. A clergy member residing in some other state or in Canada can marry you if he or she first obtains a special authorization from the probate court in the district where the marriage will take place. In addition, any person who is over the age of 18 may register with the Secretary of State to become a temporary officiant to a marriage. A person who has filled out the registration form and who has paid the registration fee of \$100 will receive a certificate authorizing the person to solemnize a specific Vermont marriage. The individual's authority to solemnize that marriage will expire at the same time as the corresponding license. For information on registering to be a temporary officiant visit www.sec.state.vt.us or call 802-828-2363. Vermont law does not require witnesses, but, if you are planning a religious ceremony, check to see if the religion's tenets require witnesses.

What do we do with the license? What happens to it after the ceremony? By law, you must deliver the license to the person who will conduct your wedding ceremony before the marriage can be performed. After the ceremony, the person who performs the ceremony (officiant) will complete the sections concerning the date, place and officiant information, and sign your license. At that point, the license becomes a marriage certificate. The officiant must return the certificate to the town clerk's office where it was issued within 10 days after the wedding, so that your marriage can be officially registered. If the officiant has registered with the Secretary of State as a temporary officiant, a copy of the certificate of authority issued by the Secretary of State should be attached to the signed license and returned to the clerk's office. The certificate is not a complete legal document until it has been recorded in the town clerk's office where it was purchased.

How do we get a copy of our marriage certificate? At the time you buy your marriage license, you can arrange with the town clerk to mail you a certified copy of your certificate as soon as your marriage has been recorded. The cost is \$10 for the certified copy along with the \$60 for the license purchase (\$10 + \$60 = \$70). Or, two weeks or more after the ceremony, you can request, in person or in writing, additional copies from the town clerk's office where you bought your license for the same \$10 fee. Or, six or more weeks after your ceremony, you may request, in person or in writing, a certified copy from the Vermont Department of Health, Vital Records Unit for \$10. In either case, you will receive a copy of the original certificate, embossed with the town or state seal, signed and dated by the appropriate official. This copy is accepted for all legal purposes as proof of a valid marriage.