VERMONT

DEPARTMENT OF HEALTH

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 $45**, 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 802-828-2148. 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 $45 for the license purchase ($10 + $45 = $55). 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.

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