# Office of the Grant County Clerk

Administration Building, 111 S. Jefferson St, Rm. 111, Lancaster, WI 53813 Office:(608) 723-2675

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# **Marriage License Application**

# Marriage License Applications are taken by <u>APPOINTMENT ONLY</u> Please call (608) 723-2675 to schedule an appointment

## **Where To Apply**

Applicants who are non/residents may apply for a marriage license in any county in the State of Wisconsin, and the license may be used in any county in the state.

## **Applying In Grant County**

After scheduling an appointment, both parties are required to appear in person at the office of the Grant County Clerk, Grant County Administration Building, 111 S. Jefferson St, Room #111, Lancaster, Wisconsin. Appointments to apply for your marriage license are available Mon-Fri with the exception of holidays, between the hours of 8:30 a.m. and 3:30 p.m. Please allow ½ an hour of time to apply.

#### **Identification of Parties**

- Each party is required to present a valid photo ID.
- Each party is required to present proof of where they live in the form of a driver's license, state-issued identification card, rent or mortgage receipt, checking account, or savings account.
- Social security number, if assigned.
- Birth certificate, translated if necessary.

Wisconsin State Statutes require all parties to present a state-certified copy of a birth certificate. Photocopies cannot be accepted: Per Wisconsin State Statutes §69.24, it is illegal to make photocopies of any vital record; doing so carries a fine of \$10,000.00. Hospital and baptism certificates cannot be accepted.

#### If previously married - please bring applicable document, as is required:

- Certified copy of death certificate.
- Copy of state annulment papers.
- Copy of prior divorce papers Findings of Fact, Conclusions of Law (may vary state to state).

Fee due at time of application: \$75.00, payable by check, cash or card (card will add a convenience fee).

Waiting Period: Three (3) days unless a waiver of the waiting period has been granted.

<u>Special dispensation of waiting period:</u> A waiver of the three (3) day waiting period is granted for any of the reasons outlined in Chapter 765 of the Wisconsin Statutes. An extra fee of \$25.00, payable by check or cash, is charged at the time of application.

**Expiration:** A marriage license is required to be used within 60 days from the issue date.

# **Ceremony information needed at the time of application:**

- Date of ceremony.
- Location: township, village, or city; and county where the ceremony is to take place.
- Name, address & phone # of the person officiating the ceremony.

**Age:** 18, without consent. Age 16 and 17, with written consent of the person's parents, guardian, custodian, or a parent who has legal custody.

<u>Relationship:</u> A marriage cannot be contracted while either party has a husband or wife living; between persons who are closer in relationship than second cousins, whether parties to the marriage are half or whole blood, except that a marriage may be contracted between first cousins if the female has attained the age of 55 years, or if either party at the time of application for a marriage license submits an affidavit signed by a physician stating that either party is permanently sterile.

<u>Assenting to marriage</u>: A marriage cannot be contracted if either party has such want of understanding as renders him or her incapable of assenting to marriage.

<u>Divorced Persons:</u> A person divorced, whether in the State of Wisconsin or elsewhere, cannot marry again until six (6) months from the final judgment date.

#### **Where To Obtain Vital Records:**

## **Grant County Register of Deeds**

(Birth & Death Records in Wisconsin) **Website:** https://www.co.grant.wi.gov

#### **State of Wisconsin Vital Records**

(Birth, Divorce & Death Records in Wisconsin)

Website: <a href="https://www.dhs.wisconsin.gov/vitalrecords/index.htm">https://www.dhs.wisconsin.gov/vitalrecords/index.htm</a>

# **Grant County Clerk of Courts** (Divorce Judgment Records)

Website: <a href="http://www.co.grant.wi.gov">http://www.co.grant.wi.gov</a>

#### Who May Legally Perform A Marriage In the State of Wisconsin, per Wisconsin State Statutes §765.16 and §765.17:

- (1) Ordained clergy or licentiate of a denominational body or appointee of any bishop if a Wisconsin resident.
- (2) Family court or other court commissioner or supplemental court commissioner in Wisconsin.
- (3) Municipal judge, reserve judge, or any judge of a court of record in Wisconsin, or a Wisconsin tribal judge.
- (4) The couple may perform their ceremony through mutual declarations, in accordance with the customs, rules, and regulations of a religious society, denomination, or sect to which either party belongs (per § 765.16, Wis. Stats.). At least one individual must be a member of a religious organization that recognizes the validity of a marriage ceremony conducted without an officiant. Please be advised that very few religious traditions allow for self-marriage.

**NOTE**: Except for the confidential portion on the second page, your marriage license application is a public record.

#### Penalty Information per §765.30, Wisconsin State Statutes:

- (1) A fine of not less than \$10,000 or imprisonment for not more than nine (9) months or both for:
  - a. Marrying outside the state for the purpose of avoiding Wisconsin law.
  - b. Making certain false statements to obtain a license to marry.
  - c. Willfully and knowingly performing a marriage without statutory authority to perform marriages in the state. (See Who May Legally Perform a Marriage in Wisconsin above.)
  - d. Being a party to performing a fictitious marriage ceremony for fraudulent purposes.
- (2) A fine of not less than \$100 nor more than \$500 or imprisonment for not more than six (6) months or both for:
  - a. Unlawfully solemnizing a marriage (by the officiant or by the two parties themselves).