

# California Marriage Officiant Guide

**Ministerial Authority:** A marriage may be solemnized in California by any of the following who is 18 years of age or older:

*A priest, minister, or rabbi of any religious denomination who has been legally ordained by a church. As a legally-ordained Marriage Officiant, you are recognized by the church and the state as a licensed interfaith minister, and may solemnize marriages between any adult couple that has obtained a valid marriage license.*

As long as your ordination remains in good standing, you are permitted to perform wedding ceremonies and other rites (including memorials, vow renewals and baby-welcoming ceremonies) anywhere in California.

Non-resident Officiants are permitted to serve anywhere in California if currently active and in good standing with the church. Officiants, whether resident or non-resident, are not required to register with any state, county or local agency in California, but must present their credentials upon request by any legal authority and/or the parties to the marriage.



The marriage license must be reviewed by the Marriage Officiant prior to solemnizing the marriage. Any person who solemnizes a marriage without first reviewing the license is guilty of a misdemeanor (*California Penal Code, Section 360*).

Officiants must personally complete the marriage license and return it to the county clerk within ten business days after the marriage. California Family Code, Section 359(e), states: "The certificate of registry shall be returned by the person solemnizing the marriage to the county recorder of the county in which the license was issued within ten days after the ceremony."

## **MARRIAGE LICENSE INFORMATION**

*Much of the information below is state law in California; however, this information can vary from county to county, and is subject to change. We recommend contacting your local county clerk's office before applying for your marriage license.*

**Appointment Suggested:** It is recommended that you call the County Clerk's office or visit their website to see if they suggest setting an appointment. You could find yourselves in a long line with a lengthy wait without an appointment in some locales.

**ID Requirement:** Picture ID required, such as Driver's License or other valid identification. Some counties recommend bringing certified copies of your birth certificates. Know your parents' names, mothers' maiden name and places of their birth.

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

**Proxy Marriages:** Not permitted.

**Residency Requirement:** The parties to the marriage are not required to reside in California.

**Waiting Period:** No waiting period; a marriage license may be used immediately.

**Previous Marriages:** You must show proof of divorce, death or annulment. You must bring a copy of your final divorce decree if you have divorced within 90 days through the past year (varies by county.)

**Marriage License Fee:** About \$80. The fee can vary from county to county, and some counties will only accept cash. (Check your County Clerk's website for fees and restrictions.)

**Other Tests:** No tests.

**Under Age 18:** If either party to the marriage is under the age of 18, at least one of the minor's parents, or a legal guardian, must appear with the couple. Certified copies of birth certificates are required. The couple must also schedule an appointment with a counselor, and then appear before a Superior Court judge.

**Cousin Marriages:** Permitted. Check with local County Clerk for further information.

**Common Law Marriages:** Not permitted.

**Same-Gender Marriages:** Permitted.

**Valid:** A marriage license issued in the State of California is valid for 90 days. The marriage license can only be used (solemnized) within the State of California.

**Confidential License:** A regular marriage license is a public record. Marriage licenses and Certificates of Confidential Marriage are only accessible by the parties to the marriage, or by decree signed by a Superior Court judge. **At least one witness is required to observe the solemnization for a regular, public ceremony.** No witnesses are required to observe a confidential marriage ceremony. A regular license may be used throughout the state. However, the confidential license may only be used in the county of issue. The confidential license costs \$80 (same as regular license).

**Civil Ceremony:** Each county offers civil ceremonies performed by a judge or commissioner. The cost is approximately \$40. For additional information on this service, contact your County Clerk's office.

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

The above information is believed to be current and 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.

## LICENSE AND CERTIFICATE OF MARRIAGE

MUST BE LEGIBLE - MAKE NO ERASURES, WHITEOUTS, OR OTHER ALTERATIONS  
USE DARK INK ONLY

	STATE FILE NUMBER	LOCAL REGISTRATION NUMBER	
<input type="checkbox"/> Groom <input type="checkbox"/> Bride FIRST PERSON DATA	1A. FIRST NAME	1B. MIDDLE	
	1C. CURRENT LAST		1D. LAST NAME AT BIRTH (IF DIFFERENT THAN 1C)
	2. DATE OF BIRTH (MM/DD/CCYY)	3. STATE/COUNTRY OF BIRTH	4. #PREV. MARRIAGES/SRDP
	5A. LAST MARRIAGE/SRDP ENDED BY:		5B. DATE ENDED (MM/DD/CCYY)
	<input type="checkbox"/> DEATH <input type="checkbox"/> DISSO <input type="checkbox"/> ANNULMENT <input type="checkbox"/> TERM SRDP <input type="checkbox"/> N/A		
	6. ADDRESS	7. CITY	8. STATE/COUNTRY
10A. FULL BIRTH NAME OF FATHER/PARENT		10B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)	
11A. FULL BIRTH NAME OF MOTHER/PARENT		11B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)	
<input type="checkbox"/> Groom <input type="checkbox"/> Bride SECOND PERSON DATA	12A. FIRST NAME	12B. MIDDLE	
	12C. CURRENT LAST		12D. LAST NAME AT BIRTH (IF DIFFERENT THAN 12C)
	13. DATE OF BIRTH (MM/DD/CCYY)	14. STATE/COUNTRY OF BIRTH	15. # PREV. MARRIAGES/SRDP
	16A. LAST MARRIAGE/SRDP ENDED BY:		16B. DATE ENDED (MM/DD/CCYY)
	<input type="checkbox"/> DEATH <input type="checkbox"/> DISSO <input type="checkbox"/> ANNULMENT <input type="checkbox"/> TERM SRDP <input type="checkbox"/> N/A		
	17. ADDRESS	18. CITY	19. STATE/COUNTRY
21A. FULL BIRTH NAME OF FATHER/PARENT		21B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)	
22A. FULL BIRTH NAME OF MOTHER/PARENT		22B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)	
AFFIDAVIT	WE, THE UNDERSIGNED DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT WE ARE UNMARRIED AND THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE FURTHER DECLARE THAT NO LEGAL OBJECTION TO THE MARRIAGE NOR TO THE ISSUANCE OF A LICENSE IS KNOWN TO US. WE ACKNOWLEDGE RECEIPT OF THE INFORMATION REQUIRED BY FAMILY CODE SECTION 358 AND HEREBY APPLY FOR A LICENSE AND CERTIFICATE OF MARRIAGE.		
	23. SIGNATURE OF PERSON LISTED IN FIELDS 1A-1D	24. SIGNATURE OF PERSON LISTED IN FIELDS 12A-12D	
LICENSE TO MARRY	I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ABOVE-NAMED PARTIES TO BE MARRIED HAVE PERSONALLY APPEARED BEFORE ME, OR THE PERSON PERFORMING THE CEREMONY HAS PERSONALLY APPEARED BEFORE ME AND PRESENTED AN AFFIDAVIT SIGNED BY THE PARTIES TO BE MARRIED DECLARING THAT ONE OR BOTH OF THE PARTIES ARE PHYSICALLY UNABLE TO APPEAR AND EXPLAINING THE REASONS THEREFOR IN ACCORDANCE WITH FAMILY CODE SECTION 426. THE PARTIES PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS CLAIMED, HAVE DECLARED THAT THEY MEET ALL OF THE REQUIREMENTS OF THE LAW, AND HAVE PAID THE FEES PRESCRIBED BY LAW. AUTHORIZATION AND LICENSE IS HEREBY GIVEN TO ANY PERSON DULY AUTHORIZED TO PERFORM A MARRIAGE CEREMONY WITHIN THE STATE OF CALIFORNIA TO SOLEMNIZE THE MARRIAGE OF THE ABOVE-NAMED PERSONS. REQUIRED CONSENTS AND AFFIDAVITS FOR THE ISSUANCE OF THIS LICENSE ARE ON FILE.		
	25A. ISSUE DATE (MM/DD/CCYY)	25B. EXPIRES AFTER (MM/DD/CCYY)	
	25C. NAME OF COUNTY CLERK	25D. SIGNATURE OF CLERK OR DEPUTY CLERK	
	25E. MARRIAGE LICENSE NUMBER	25F. COUNTY OF ISSUE	
25G. RETURN COMPLETED MARRIAGE LICENSE TO (INCLUDE ADDRESS):			
WITNESS(ES) (ONE REQUIRED, NO MORE THAN TWO ALLOWED)	26A. SIGNATURE OF WITNESS	26B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY)	
	26C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE		
	27A. SIGNATURE OF WITNESS	27B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY)	
	27C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE		
CERTIFICATION OF PERSON SOLEMNIZING MARRIAGE	I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE ABOVE-NAMED PARTIES WERE JOINED BY ME IN MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA. NOTE: THE MARRIAGE CEREMONY MUST TAKE PLACE IN THE STATE OF CALIFORNIA.		
	28A. DATE OF MARRIAGE (MM/DD/CCYY)	28B. CITY/TOWN OF MARRIAGE	
	28C. COUNTY OF MARRIAGE		
	29A. SIGNATURE OF PERSON SOLEMNIZING MARRIAGE	29B. RELIGIOUS DENOMINATION (IF CLERGY)	
	FIRST NATION CHURCH		
	29C. NAME OF PERSON SOLEMNIZING MARRIAGE (TYPE OR PRINT CLEARLY)	29D. OFFICIAL TITLE	
MINISTER or OFFICIANT			
29E. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE			
YOUR ADDRESS, YOUR CITY, STATE & ZIP CODE			
NEW NAMES (IF ANY)	NEW MIDDLE AND LAST NAME OF PERSON LISTED IN 1A-1D (IF ANY) FOR USE UPON SOLEMNIZATION OF THE MARRIAGE (SEE REVERSE FOR INFORMATION)		
	30A. FIRST - MUST BE SAME AS 1A	30B. MIDDLE	
	30C. LAST		
NEW MIDDLE AND LAST NAME OF PERSON LISTED IN 12A-12D (IF ANY) FOR USE UPON SOLEMNIZATION OF THE MARRIAGE (SEE REVERSE FOR INFORMATION)			
31A. FIRST - MUST BE SAME AS 12A	31B. MIDDLE	31C. LAST	
LOCAL REGISTRAR	32A. NAME OF LOCAL REGISTRAR	32B. SIGNATURE OF CLERK OR DEPUTY CLERK	
		32C. DATE ACCEPTED FOR REGISTRATION	

## INSTRUCTIONS AND INFORMATION

Refunds CANNOT be given after a marriage license is issued.

You will not be notified that your license has been registered. You do not automatically receive a certified copy. You must request and pay for a certified copy from the local registrar of marriages (County Recorder) in the county where the license was issued.

**SRDP = State Registered Domestic Partnership as registered with the Secretary of State.** Pursuant to Family Code, Section 298.5(c), no person who has filed a Declaration of Domestic Partnership may enter a marriage with someone other than their registered domestic partner unless the most recent domestic partnership has been terminated or a final judgment of dissolution or nullity has been entered, or the domestic partnership terminated due to death of one of the domestic partners.

**"New Name(s)"—Law applying to middle and last names (items 30B, 30C, 31B, and 31C) OPTIONAL:** Pursuant to Family Code Section 306.5, at the time of application for a marriage license, one or both parties to the marriage may elect to change the middle or last names, or both, by which that party wishes to be known after solemnization of the marriage by entering that information on the marriage license application. Parties may adopt any of the following middle names: the current last name of either spouse; the last name of either spouse given at birth; a hyphenated combination of the current middle name and the current last name of the person or spouse; a hyphenated combination of the current middle name and the last name given at birth of the person or spouse. Parties may adopt any of the following last names: the current last name of the other spouse; the last name of either spouse given at birth; a name combining into a single last name all or a segment of the current last name or last name of either spouse given at birth; a hyphenated combination of last names. **NOTE:** The first name of the parties may not be changed on the marriage license. An amendment to the new name fields may only be issued to correct clerical errors, and that amendment must be signed by one of the parties to the marriage and the county clerk or his or her deputy.

### Family Code Section 400

Marriage may be solemnized by any of the following who is of the age of 18 years or older:

- (a) A priest, minister, rabbi, or authorized person of any religious denomination.
- (b) A judge or retired judge, commissioner of civil marriages or retired commissioner of civil marriages, commissioner or retired commissioner, or assistant commissioner of a court of record in this state.
- (c) A judge or magistrate who has resigned from office.
- (d) Any of the following judges or magistrates of the United States.
  - (1) A justice or retired justice of the United States Supreme Court.
  - (2) A judge or retired judge of a court of appeals, a district court, or any court created by an act of Congress the judges of which are entitled to hold office during good behavior.
  - (3) A judge or retired judge of a bankruptcy court or a tax court.
  - (4) A United States magistrate or retired magistrate.
- (e) A legislator or constitutional officer of this state or a member of Congress who represents a district within this state, while that person holds office.

### Family Code Section 401

- (a) For each county, the county clerk is designated as a commissioner of civil marriages.
- (b) The commissioner of civil marriages may appoint deputy commissioners of civil marriages who may solemnize marriages under the direction of the commissioner of civil marriages and shall perform other duties directed by the commissioner.

### To Person Solemnizing Marriage Ceremony

The License and Certificate of Marriage must be used only within the State of California, expires 90 days after date of issue, and cannot be used after the "Expiration Date" shown in Item 25B.

1. Complete the marriage license using DARK INK ONLY.
2. Have one or two witnesses to the marriage sign Items 26A and 27A and complete Items 26B, 26C, 27B, and 27C.
3. Enter date and place of marriage in Item 28A, 28B, and 28C.
4. Sign your name in Item 29A.
5. If clergy, enter your denomination in Item 29B. If not, enter a single dash.
6. Type or print your name, official title, and mailing address in Items 29C through 29E.

The completed LICENSE AND CERTIFICATE OF MARRIAGE must be returned within 10 days after the marriage ceremony by the person performing the ceremony to be registered by the local registrar of marriages (County Recorder) of the county where the license was issued at the address in box 25G. It can be mailed or delivered in person.

### PRIVACY NOTIFICATION

Civil Code Section 1798 et seq. requires each state agency to provide this notice to individuals completing this form. The information is being requested by: State of California, Department of Public Health, Office of Vital Records, MS 5103, P.O. Box 997410, Sacramento, CA 95899-7410, Telephone (916) 445-2684.

The information requested on this certificate is authorized and required by Division 102 of the Health and Safety Code, and related provisions within the Civil Code, Code of Civil Procedure, Family Code, and Government Code.

The completion of all items requested on this form is mandatory. Health and Safety Code Section 103775 provides that, "Every person, except a parent informant for a certificate of live birth, who is responsible for supplying information who refuses or fails to furnish correctly any information in his or her possession which is required by this division, or furnishes false information affecting any certificate or record required by this division, is guilty of a misdemeanor."

The principal purpose for this record is:

1. To establish a permanent record that is legally recognized as prima facie evidence of the facts stated therein for each marriage occurring in the State of California.
2. To provide individuals with certified copies from the records to serve their personal needs, such as securing passports and applying for social security or death benefits.
3. To provide information to health authorities and other qualified persons with a valid educational or scientific interest, for demographic and epidemiological studies for health and social purposes.
4. This information is also provided to the National Center for Health Statistics for compiling national statistical reports.

This record shall be open for examination during regularly scheduled office hours, except when access is specifically prohibited by statute or regulations.

For Official Use Only