

Maine Marriage Officiant Guide

Officiants: As of July 1, 1981, the Secretary of State's Office no longer requires a license be issued for ordained ministers of the gospel for the purpose of solemnizing marriages in Maine, whether resident or non-resident.* Currently, Maine relies solely on the language of the law regarding who is authorized to solemnize marriages in the state. According to M.R.S.A. Title 19-A, Section 655, the following persons are authorized to perform marriages in Maine:

A. If a resident of this State:

- (1) A justice or judge; or
- (2) A lawyer admitted to the Maine Bar; or
- (3) A notary public under Title 4, Chapter 19, and

B. Whether a resident or non-resident* of this State, and whether or not a citizen of the United States:

- (1) An ordained minister of the gospel; or
- (2) A cleric engaged in the service of the religious body to which the cleric belongs; or
- (3) A person licensed to preach by an association of ministers, religious seminary or ecclesiastical body.

* — Unordained non-residents are required to register with the state before performing ceremonies in Maine.



MARRIAGE LICENSE INFORMATION

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

ID Requirement: A photo ID, such as a driver's license, along with a certified copy of your birth certificates, is required when applying for a marriage license. You should know your Social Security numbers. You should both also know your parents' full name, mother's maiden name, and the states in which you were born.

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

Residency Requirement: If both persons reside in the State of Maine and in the same municipality, they must file with their municipal clerk. If both persons reside in the State of Maine, in separate municipalities, they must file with at least *one* municipal clerk; they do not need to file with both. If one party to a marriage is a resident and one party resides outside the State of Maine, they must file intentions at the office of the clerk where the Maine resident lives. If both parties to a marriage are non-residents of the State of Maine, they may file intentions at any municipal office in the State of Maine and they are then free to marry anywhere within the state.

Waiting Period: No waiting period required.

Previously Married Persons: Previously married persons must provide certified documentation showing that their previous marriage has ended and that they are eligible to marry again.

Fees: \$10.00 *per person* (total of \$20.00). This charge does not include the cost of a certified copy of the marriage certificate after the marriage is solemnized. The bridal couple is responsible for purchasing a copy after the license has been filed. The fees for that are:

- \$7.00 at the municipal office level (\$3.00 for additional copies ordered at the same time)
- \$10.00 at the state level (\$4.00 for additional copies ordered at the same time)

Other Tests: No blood test requirement.

Other Requirements: Persons are required to provide social security numbers when applying for a Maine marriage license.

Under 18: Applicants must be over 18 years old.

- A license shall not be issued to anyone under the age of 18 without written parental consent.
- A license shall not be issued to anyone under the age of 16 without written parental consent and the written consent of a judge.

Cousin Marriage: First cousins may marry in Maine provided they present the municipal clerk with a certificate of genetic counseling from a physician.

Same-Gender Marriage: Permitted.

Valid: A Maine marriage license is valid for 90 days. The marriage license can only be used within the State of Maine.

For additional information, please visit 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.

A GUIDE FOR OFFICIANTS IN MAINE

PERFORMING A MARRIAGE CEREMONY

GENERAL INFORMATION

When a marriage ceremony is performed in Maine, there are certain procedures that must be followed by the Officiant. The municipal clerk who issued the license will have already made sure that the parties to be married have complied with the laws of Maine. However, there are several duties for which the person performing the marriage (Officiant) is directly responsible:

1. The parties to be married must present a valid State of Maine marriage license.
 2. The Officiant must review the license to ensure that the parties' signatures are present and that the license has not expired.
 3. Once the marriage has been performed, the Officiant must have the two witnesses sign the license using a BLACK INK pen.
 4. The Officiant must complete the ceremony section of the license.
 5. The Officiant, within 7 days of performing the ceremony, must file the completed license with the municipal clerk where the marriage license was issued.
- *It should be clearly understood by all parties* that there are severe penalties for violation of the laws that relate to vital records. A marriage certificate is a vital record. It is an important legal document. All parties should be aware of the laws about performing marriage ceremonies and the responsibility of the Officiant.



The parties to be married are responsible for picking up a copy of the license and presenting it to the Officiant prior to the ceremony. Once the Officiant receives the "Place of Issue" photocopy of the marriage license from the parties to be married, the license is then the responsibility of the Officiant.

A Maine marriage license is valid for 90 days from the date the intentions are filed. The marriage license may not be used outside the state, nor does a license issued by another state or country authorize marriage in Maine.

PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES IN MAINE

If the Officiant is a resident of this state:

1. A justice or judge;
 2. A lawyer admitted to the Maine Bar; or
 3. A notary public under Title 4, Chapter 19
- Whether the Officiant is a resident or nonresident of this State and whether or not a citizen of the United States:
 1. An ordained minister of the gospel;
 2. A cleric engaged in the service of the religious body to which the cleric belongs; or
 3. A person licensed to preach by an association of ministers, religious seminary or ecclesiastical body.
 - A nonresident of Maine who has a temporary registration certificate issued by the Maine CDC vital records office.

BEFORE THE CEREMONY

Both the parties to be married must sign the marriage license at the municipal clerk's office before the license may be issued.

The marriage license is valid for 90 days (not three months) from the date of filing.

The age of consent in Maine is 18 years of age for both the parties to be married. The Officiant should not perform the marriage if there is reason to believe that either of the parties is under the age of 18 and there is not written consent of the parents that shows permission has been granted.

The residence of the parties to be married determines where the intentions of marriage may be filed:

- a) If both the parties reside in Maine, in the same town, then the license must be obtained from their municipal office. They are free to marry anywhere within the State of Maine.
- b) If both the parties to be married reside in Maine, but in separate towns, they may file their intentions at EITHER resident town (they do not have to file in both) and they are free to marry anywhere within Maine.
- c) If ***either*** party to be married resides in the State of Maine, and the other is a non-resident of Maine, then they must obtain their license at the municipal office ***where the resident lives***. They are free to marry anywhere within the State of Maine.
- d) If ***both*** parties reside outside of Maine, they may file their intentions at any municipal office and then they are free to marry anywhere within the State of Maine.

AFTER THE CEREMONY

After the ceremony, the Officiant must complete the 'Ceremony' section of each marriage license using a BLACK INK pen. Please print or type all information clearly except for necessary signatures. Necessary signatures include those of the Officiant and the two witnesses.

★ It is required that two witnesses be present and sign the marriage license in the State of Maine. The Officiant **CANNOT** be a witness.

★ All information is to be done in BLACK INK ONLY!

★ Do not add or correct any information already on the license. All corrections must be done through a legal process at the Maine CDC vital records office.

After the ceremony section of the license is completed, the **Officiant must return the marriage license** to the municipality where the license was issued. This must be done within **seven days** of the marriage. The completed license is to be either mailed or delivered personally by the Officiant to the clerk's office. Under no circumstances should this duty be assigned to the individuals who are married or any member of the wedding party.

QUESTIONS

If any questions arise that are not covered in this pamphlet, please feel free to contact this office at:

MAINE CENTER FOR DISEASE CONTROL & PREVENTION
(MAINE CDC)
VITAL RECORDS OFFICE
244 WATER STREET
11 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0011

(207) 287-3771 Fax: (207) 287-1093
TTY Users: Dial 711 (Maine Relay)



DHHS

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