

# Maryland Marriage Officiant Guide

**Officiants:** Any ordained minister authorized by the rules and customs of their church, including non-residents, may perform marriages in Maryland. (You are recognized as an ordained ceremonial minister under the bylaws of First Nation Church.) No state or local registration is required. The minister must complete the marriage license and marriage certificate and provide one *certificate* to the couple. *An additional copy of the marriage certificate and the marriage license must be returned to the clerk of the Court of Common Pleas within five days after the marriage.*

## MARRIAGE LICENSE INFORMATION

*Much of the information below is state law in Maryland; however, this information can vary by location, and is subject to change. We recommend contacting your Court Clerk's Office before applying for your marriage license.*

**ID Requirement:** Picture ID, such as a driver's license. You should know your Social Security numbers. Both parties must also know the state and county in which they were born.

**Residency Requirement:** You do not have to be residents of Maryland.

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



NOTE: The marriage license must be obtained from the Circuit Court Clerk's Office in the county in which the marriage is to take place. If, however, it is not convenient for you to visit the Clerk's Office in that county, you may apply using a Non-Resident Affidavit. Affidavits are available online at the Calvert, Kent, and Queen Anne's Circuit Court Clerks' websites, or you may obtain one from either your county, or from the county in which you plan to marry.

**If Divorced:** If previously married, you will need to show certified proof of how the marriage ended, i.e., a divorce judgment or the death of the spouse (in which case a death certificate must be provided).

**Waiting Period:** Two days. The license is issued at the same time the application is taken; however, the license will reflect an effective date that is forty-eight hours from the date of issue.

**Fees:** \$35+, depending on location; generally cash only.

**Other Tests:** No blood test requirement.

**Under 18:** Applicants under the age of 15 may not marry.

- An applicant who is 15 years old may only marry with the consent of a parent or guardian and with a certificate from a licensed physician verifying that an examination of the woman to be married indicated that she is pregnant or has given birth to a child.
- Applicants 16 or 17 years old may only marry with the consent of a parent or guardian who confirms that individual's age or with a certificate from a licensed physician verifying that an examination of the woman to be married indicated that she is pregnant or has given birth to a child.

**Common Law Marriages:** No. However, the State does recognize common law marriages that are valid in other states.

**Same-Gender Marriages:** Permitted.

**Civil Marriages:** Maryland no longer employs Justices of the Peace to perform civil ceremonies. Instead, only a Clerk of the Circuit Court or an appointed, designated Deputy Clerk of the Circuit Court may perform civil ceremonies. The hours, location and fees for a civil ceremony vary from county to county. Visit the circuit courts' website to locate the Clerk of the Circuit Court in your county.

**Valid:** A Maryland marriage license is valid for six months, and can only be used within the State of Maryland.

***For additional information, please visit [FirstNationMinistry.org](http://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.*

# Maryland Statute §2-406 – Family Law.

*Excerpt from Code of Public General Laws of Maryland Statute §2-406, covering who may legally perform marriage ceremonies in the state:*

- (a) (1) In this subsection, “judge” means:
- (i) a judge of the District Court, a circuit court, the Court of Special Appeals, or the Court of Appeals;
  - (ii) a judge approved under Article IV, § 3A of the Maryland Constitution and § 1-302 of the Courts Article for recall and assignment to the District Court, a circuit court, the Court of Special Appeals, or the Court of Appeals;
  - (iii) a judge of a United States District Court, a United States Court of Appeals, or the United States Tax Court; or
  - (iv) a judge of a state court if the judge is active or retired but eligible for recall.
- (2) A marriage ceremony may be performed in this State by:
- (i) any official of a religious order or body authorized by the rules and customs of that order or body to perform a marriage ceremony;
  - (ii) any clerk;
  - (iii) any deputy clerk designated by the county administrative judge of the circuit court for the county; or
  - (iv) a judge.
- (b) Within 6 months after a license becomes effective, any authorized official may perform the marriage ceremony of the individuals named in the license.
- (c) (1) An individual may not perform a marriage ceremony unless the individual is authorized to perform a marriage ceremony under subsection (a) of this section.
- (2) An individual who violates this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$500.
- (d) (1) An individual may not knowingly perform a marriage ceremony between individuals who are prohibited from marrying under § 2-202 of this title.
- (2) An individual who violates the provisions of this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$500.
- (e) (1) An individual may not perform a marriage ceremony without a license that is effective under this subtitle.
- (2) An individual who violates the provisions of this subsection is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500.
- (f) The county administrative judge of the circuit court for the county shall designate:
- (1) when and where the clerk or deputy clerk may perform a marriage ceremony; and
  - (2) the form of the marriage ceremony to be recited by the clerk or deputy clerk and the parties being married.
- (g) This section does not affect the right of any religious denomination to perform a marriage ceremony in accordance with the rules and customs of the denomination.

# STATE OF MARYLAND

## WEDDING OFFICIANT GUIDELINES

To the Wedding Minister or Officiant,

Before performing the ceremony, please check the *effective date* of the marriage license. The license *may not* be used prior to the effective date, which is 6:00 AM on the *second calendar date* after issuance and must be used within the six (6) months of the effective date.

The couple must be married in the county where their license was purchased.

Before giving the marriage license to the newly married couple, please complete the following:

1. Date of the ceremony and the City or Town that the ceremony was performed in;
2. Your signature;
3. Your title and office; and
4. Your mailing address (please include street and city).

After the ceremony, give the completed **top copy (blue)** to the couple. *This is their original.* Complete and sign the **green copy** and return it to the Clerk's Office in the envelope provided no later than five (5) days after the ceremony is completed.

Please provide the printed name of the minister and a phone number in the event further clarification is necessary (a business card is perfect!). Finally, *keep the white copy for your records.*

Social security numbers were requested at the time of application. You do not need to request this information again.

If you require additional information, please call the County Clerk's office that issued the marriage license.