



# DECLARATION OF MARRIAGE

**HISTORY** DECLARATION OF MARRIAGE WAS MORE COMMONLY USED WHEN A MINISTER OR JUDGE WAS UNAVAILABLE. IF THE BRIDE AND GROOM DIDN'T WANT TO WAIT FOR A PREACHER, THEY WOULD GO TO THEIR LOCAL COUNTY SEAT AND FILE A PAPER WITH THE CLERK OF THE DISTRICT COURT, DECLARING THEMSELVES MARRIED. THIS PROCESS OF FILING A DECLARATION OF MARRIGE IS STILL USED TODAY.

**IS IT LEGAL?** ONCE A DECLARATION OF MARRIAGE IS FILED WITH THE CLERK OF THE DISTRICT COURT, THE COUPLE ARE RECOGNIZED AS BEING LEGALLY MARRIED.

**HOW TO APPLY** THE APPLICATION PROCESS IS THE SAME AS THE APPLICATION FOR MARRIAGE LICENSE. (SEE REVERSE SIDE)

**COST?** \$53.00 THE SAME AS A MARRIAGE LICENSE.

## HOW TO PREPARE YOUR DECLARATION OF MARRIAGE

YOU MUST PREPARE YOUR OWN DECLARATION. IT MAY BE TYPED OR HANDWRITTEN. YOUR DECLARATION OF MARRIAGE MUST BE ONE-SIDED, ON 8 1/2 X 11 PAPER AND MUST INCLUDE THE FOLLOWING INFORMATION FOR BOTH THE BRIDE AND GROOM:

- ♥ FULL NAMES
- ♥ CURRENT AGE
- ♥ CITY AND STATE OF RESIDENCE
- ♥ FATHER'S FIRST, MIDDLE, AND LAST NAME & CITY & STATE OF RESIDENCE
- ♥ MOTHER'S FIRST, MIDDLE, AND MAIDEN NAME & CITY & STATE OF RESIDENCE

## OTHER INFORMATION REQUIRED ON YOUR DECLARATION OF MARRIAGE

- ♥ THE DATE YOU ARE DECLARING YOUR MARRIAGE
- ♥ A STATEMENT THAT BOTH PARTIES ARE LEGALLY COMPETENT TO ENTER INTO THE MARRIAGE CONTRACT
- ♥ SIGNATURE LINES FOR THE BRIDE, GROOM AND TWO WITNESSES (NOT TO BE SIGNED UNTIL INSTRUCTED BY THE CLERK). YOU MAY BRING YOUR OWN WITNESSES, OR CLERK OF COURT PERSONNEL MAY ACT AS WITNESSES.
- ♥ LEAVE A 2 IN. X 2 IN. BLANK SPACE NEAR THE BOTTOM LEFT CORNER OF YOUR DECLARATION FOR THE COURT SEAL.
- ♥ TWO SPACES ARE NEEDED FOR OFFICIAL USE. ONE SPACE IS FOR THE NOTARY, AND THE OTHER SPACE IS FOR THE CLERK TO FILE YOUR DECLARATION. USE THE FOLLOWING AS EXAMPLES:

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

SHIRLEY E. FAUST, CLERK

BY: \_\_\_\_\_  
DEPUTY

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
\_\_\_\_\_ 20\_\_.

SHIRLEY E. FAUST, CLERK

BY: \_\_\_\_\_  
DEPUTY

**FEMALES UNDER 50 YEARS OF AGE:** A Rubella blood test or doctor's state regarding sterilization submitted on the State of Montana, Premarital Certificate and signed by a physician **OR** both parties may read and sign an Informed Consent/Waiver which waives the requirement for the medical certification of blood testing for rubella immunity.



## ***INFORMATION NEEDED FOR MARRIAGE APPLICATION***

### *The Bride Needs:*

A Rubella blood test or a doctor's statement regarding sterilization submitted on the State of Montana, Premarital Certificate and signed by a physician **OR** both parties may read and sign an Informed Consent/Waiver which waives the requirement for the medical certification of blood testing for rubella immunity. (Required by the State of Montana for all females under 50 years of age.)

### *The Bride and Groom need:*

- ♥ \$53.00 **Cash, Visa or Mastercard (no checks);**
- ♥ Identification indicating proof of age (i.e.: driver's license, picture I.D., certified copy of Birth Certificate or Passport). Any other form of I.D. would require approval from this office;
- ♥ Birth city, county, state or foreign country of applicants;
- ♥ Social Security Number;
- ♥ Father's first, middle and last name along with current city and state of residence;
- ♥ Mother's first, middle and maiden name along with current city and state of residence;
- ♥ State or foreign country where parents were born;
- ♥ "If applicable"...must know the dates of applicant's previous marriage dissolution or spousal death and the county/state of occurrence;
- ♥ Must be at least 18 years of age or older.

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**Montana Residents** may obtain a marriage license in any county and get married in any Montana county.

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### **REQUIREMENTS FOR APPLICANTS UNDER 18 YEARS OF AGE**

**Parental Consent** - Parent or legal guardian must sign Marriage Application.

**Counseling** - Proof of two counseling sessions, ten days apart, with a court approved counselor.

**Judicial Approval** - A District Court Judge must approve and sign Marriage Application. A judge may require a conference with applicants and guardian(s).

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Marriage License valid for 180 days from date of issuance to ceremony.