

Uintah County Clerk's Office Policy

ISSUING MARRIAGE LICENSES AND PERFORMING WEDDING CEREMONIES

1.0. MARRIAGE LICENSE ISSUANCE:

1.1 Basic Applications:

1.1.1. Both the applicants shall appear in person with a photo ID and shall fill out an *Application for License to Marry* form.

1.1.1.1. The Clerk's Office fills out the top portion of the form and the applicants fill out their respective portion of the form.

1.1.1.2. The person officiating at the wedding fills out the bottom part of the form at the time the wedding is performed and prints his or her name, authority or title, signs the license and has the couple and the witnesses sign. The officiator returns the license back to the Clerk's Office.

1.1.2. Only persons legally qualified to be married shall be permitted to receive a marriage license.

1.1.3. The license fee is \$30.00. The Clerk's Office accepts Visa, MasterCard, cash, check, or money order.

1.1.4. The applicants shall be issued a Marriage License the same day they complete the application and sign it in the presence of the Clerk or deputy clerk. The license is valid immediately for no more than 30 days and may be used in any county in Utah.

1.1.5. The completed License must be returned to the Uintah County Clerk's Office within 30 days after the date of the wedding ceremony.

1.1.6. In addition to the official Marriage License form, a Marriage Certificate (keepsake copy) is given to the applicants. The certificate is completed by the officiator at the time of the ceremony.

1.2. Marriage Licenses for Minors – 16 and 17 years old:

1.2.1. The minor's father, mother or legal guardian shall sign the Minor Consent Form in person at the County Clerk's Office. The parent or guardian must present valid photo identification.

1.2.2. Valid photo identification and certified birth certificate for the minor shall be provided by the consenting parent or guardian.

1.2.2.1. If the parents of the minor are divorced, consent shall be given by the parent having legal custody of the minor, as established by signing an oath or affirmation on the Application for License to Marry.

1.2.2.2. If the parents of the minor are divorced and have been awarded joint custody, consent shall be given by the parent having physical custody of the minor for the majority of the time, as established by signing an oath or affirmation on the Application for License to Marry.

1.2.2.3. If the minor is not in the custody of a parent, the legal guardian shall provide the consent and provide proof of guardianship by court order as well as by signing an oath or affirmation on the Application for License to Marry.

1.3. Marriage Licenses for Minors – 15 Years Old:

1.3.1. The minor's father, mother or legal guardian shall sign the Minor Consent Form in person at the County Clerk's Office. The parent or guardian must present valid photo identification.

1.3.2. The consenting parent or guardian shall provide valid photo identification and a certified birth certificate (if one is available) for the minor. If there is not a birth certificate available, the Clerk shall review the parents' or guardians' identification or other documentation to determine whether they can lawfully provide consent on behalf of the minor.

1.3.2.1. If the parents of the minor are divorced, consent shall be given by the parent having legal custody of the minor, as established by signing an oath or affirmation on the Application for License to Marry.

1.3.2.2. If the parents of the minor are divorced and have been awarded joint custody, consent shall be given by the parent having physical custody of the minor for the majority of the time, as established by signing an oath or affirmation on the Application for License to Marry.

1.3.2.3. If the minor is not in the custody of a parent, the legal guardian shall provide the consent and provide proof of guardianship by court order as well as by signing an oath or affirmation on the Application for License to Marry.

1.3.3. The Clerk shall fill out the Certification of the Clerk at the top of the Petition for Authorization to Marry and on the Order issued by the Court referred to in Paragraph 1.3.9.

1.3.4. An appointment for an interview of the minor(s) must be made with a judge of the Court exercising juvenile jurisdiction in that county where either party to the marriage resides. In lieu of a judge, the interview may be conducted by a court commissioner, where permitted by rule of the Utah Judicial Council or Supreme Court.

1.3.5. The minor applicant must give the signed Minor Consent Form and Petition for Authorization to Marry and Court Order to the judge or commissioner at the time of the interview.

1.3.6. Before issuing a written authorization for the minor to marry, the judge or court commissioner shall determine that:

- 1.3.6.1. The minor is entering into the marriage voluntarily and
- 1.3.6.2. The marriage is in the best interest of the minor under the circumstances.

1.3.7. The judge or court commissioner shall require that both parties to the marriage complete premarital counseling; this requirement may be waived if premarital counseling is not reasonably available. The judge or court commissioner may also require that:

- 1.3.7.1. That the person continue to attend school, unless excused under Section 53A-11-102 and
- 1.3.7.2. Any other conditions that the court deems reasonable under the circumstances.

1.3.8. The court's determination shall be made on the record. The interview or inquiry conducted by the judge or commissioner may be conducted in chambers.

1.3.9. Minor applicants must bring the signed Petition for Authorization to Marry and Court Order, signed by the judge, and the Minor Consent Form to the County Clerk's Office in order to obtain a marriage license.

1.4. Issuing a marriage license when both applicants can not appear at the same time.

1.4.1. Other circumstances when both applicants cannot appear at the same time:

1.4.1.2 When the first applicant comes in, he or she fills out his or her portion of the application.

1.4.1.3. The first applicant shall present a photo ID and inform the Clerk's Office how long to hold the application in the Office for the other applicant. The Clerk's Office shall make a photocopy of the ID and attach it to the application, stating what information is still needed. The form is held until the second applicant appears.

1.4.1.4. When the second applicant appears, the applicant's photo ID is examined and he or she completes his or her portion of the application. The second applicant pays the fee for the license.

2.0 WEDDING CEREMONY

2.1. Wedding Officiators.

2.1.1. Either personally or through a designee, shall solemnize all marriages for which a legally authorized marriage license has been issued, during the hours established by this policy which shall be from 9:00 a.m. to 3:00 p.m., each business day.

2.1.2. The Clerk may designate a person to solemnize a marriage as follows:

2.1.1.1. A deputy clerk or another officer or employee of Uintah County may be designated to solemnize a marriage.

2.1.1.2. The Clerk may designate another person to solemnize marriages if that person is willing to solemnize marriages. The person so designated need not be an employee or deputy of the Clerk or of Uintah County.

2.1.1.3. Any designation of a person to solemnize marriages shall be in writing and a record thereof kept by the Clerk.

2.1.1.4. The Clerk may designate more than one person to perform weddings in accordance with this policy and may designate a person to perform a wedding within a limited period or for only one wedding.

2.1.1.5. A person designated to solemnize a marriage under this section shall perform a wedding which is referred to him or her in writing by the Clerk. The designee may not perform any other wedding ceremony unless he or she is authorized to do so under Section 30-1-6 of the Utah Code. A person designated to perform only one wedding or to perform weddings under limited times or circumstances may do so only within the limitations in the designation.

2.1.3. Other persons authorized by statute to solemnize marriages include: ministers, rabbis, or priests of any religious denomination who are in regular communion with any religious society and are 18 years of age or older; Native American spiritual advisors; the Governor; the Lieutenant Governor; mayors of municipalities; county executives; a justice, judge or commissioner of a court of record; a judge of a court not of record of Utah; judges or magistrates of the United States; the President of the Senate; the Speaker of the House; or a retired judge or magistrate under rules set by the Supreme Court.

2.2. Wedding ceremonies performed by the Clerk:

2.2.1. If a couple wishes to make an appointment for the Clerk or designee perform a wedding in a County office, the Clerk shall determine if the office is available and the Clerk or a designee is available to perform the wedding at the time requested. If the couple requests that the designee or Clerk perform the wedding at another location, and the designee or Clerk agrees, the couple is responsible for making the needed arrangements and may be required to reimburse the designee's reasonable travel expenses, not to exceed \$100.00 plus travel expenses.

2.2.2. The couple shall be present a half an hour early to do the necessary paperwork, unless they have applied for their license before the scheduled marriage date.

2.2.3. The couple shall provide two witnesses who are 18 years of age or older.

2.3. Payment for wedding ceremonies:

2.3.1. If the wedding is performed by a designee who is not an employee of Uintah County, any fee shall be determined by the mutual agreement of the County Clerk and the designee, and in no case shall it exceed \$100.00 plus travel expenses. In addition, if the marriage ceremony is to be performed away from County offices, the couple shall be responsible to pay reasonable travel expenses to the designee, if the wedding is performed by a designee.

2.3.2. If the designee performs a wedding not referred by the Clerk, the designee is responsible for making all arrangements and the designee may charge the couple a fee for performing the wedding. A designee may not perform a wedding ceremony which has not been referred by the Clerk unless the designee is otherwise qualified to perform a wedding under Paragraph 2.1.3.

2.3.3. A designee who is an employee of Uintah County shall perform a wedding referred by the Clerk as part of the employee's county duties and during the established hours of 9:00 a.m. to 3:00 p.m. Monday through Friday as scheduled with the clerk's office.

APPROVED this 16 day of May, 2015

Signed: Michael M. Wilkins
Uintah County Clerk

