

Marriage Requirements in the District of Columbia, Maryland, and Virginia

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I. To be legally recognized to perform a wedding ceremony

A. Virginia

The clergy, minister, or other person performing the marriage must be authorized by a Circuit Court of Virginia.

To obtain authorization, the minister must produce proof of ordination and regular communion with the religious society (letter of good standing from your church) of which he/she is a "reputed member."

Marriages between persons belonging to any religious society that has no ordained minister, may be solemnized by the persons and in the manner prescribed by and practiced in any such society. One person chosen by the society shall be responsible for completing the certification of marriage in the same manner as a minister or other person authorized to perform marriages; such person chosen by the society for this purpose shall be required to execute a bond in the penalty of \$500, with surety. (according to Section 20-26 of the Code of Virginia)

If you are not "ordained" but are set apart in your group as a leader and someone with the authorization to marry, you should petition the Court for legal authorization. You will need to write a letter and establish proof that your congregation exists (Articles of Incorporation and perhaps a letter of regular communion with your religious society), that your group is non-profit/501(c)3, and that you have been set apart as clergy.

Fairfax County will not authorize anyone through their county unless you have a church in that county. However, if you are authorized in any other county, you can still perform marriages in Fairfax County.

You will need to post a \$500 surety bond.

Be prepared to swear under oath or complete an affidavit of the following statements:

- I am an ordained minister or otherwise set apart for the ministry.
- I am in regular communion with the religious society of which I am a member.
- I am a member of the following denomination: (fill in the blank)

- I have been set apart as the head or leader of a religious congregation, society, or order.
- I have been selected as a minister in accordance to ritual, bylaws, or discipline of my church, religious denomination, or society.
- I currently hold or have held the following leadership position in my religious society: (fill in the blank)
- Name and address of the church of which you are a member: (fill in the blank)

Authorization in one county is good for whole state.

You do not have to be a resident of Virginia to be authorized to perform marriages in the state.

The state of Virginia does not recognize ordinations by the Universal Light Church because the ULC does not “set anyone apart” which is the legal standard for Virginia.

B. District of Columbia

Minister must be authorized by the DC Superior Court to celebrate marriages in the District of Columbia. This authorization is only good in DC.

Application fee for authorization is \$35 (cash).

Minister must have an endorser who is of the same religious society as the applicant and who is currently registered with the Marriage Bureau. If there is no endorser, the applicant must follow the “Procedures for the Registration of Clergy Without Endorser.”

If the applicant does not have an endorser, then he/she must submit the following packets of materials, all of which must be certified or notarized, to the Marriage Bureau of the DC Superior Court:

- a certificate from the headquarters or chief official of the religious body showing that the applicant is currently recognized as a fellow minister, who is authorized by that religious society to perform marriages;
- an accompanying copy of the Charter, By-laws, or Founding Document, if any, of the religious society;
- a copy of the applicant’s record of ordination in the society;
- an affidavit of the applicant that details how long he/she has been in the ministry, when and where he/she conducts religious meeting, the size of his/her congregation, what portion of his/her time is spent in religious stewardship, what material or monetary compensation he/she receives for his/her ministry and in what other business, if any, is he/she engaged; and

- an affidavit of a reputable citizen of the District of Columbia declaring that the applicant is known to the citizen as a religious minister and is furthermore a person of good moral character.

C. Maryland

“Any minister of the gospel authorized by the rules and customs of their church may perform marriages.” Maryland shies away from defining who is a minister and what is a religious body. Basically, any adult can sign as clergy, as long as the couple who are getting married agree that the individual is clergy.

However, it is a good idea to have a notarized letter from your congregation authorizing you to perform marriages, and another from the couple agreeing that they view you as clergy.

The celebrant does not have to be a resident of Maryland, register in advance, or fulfill any other requirements.

II. Requirements for the ceremony

A. Virginia

No witnesses necessary

License good for any county in state

License must be used within 60 days of the date of issue

B. District of Columbia

No witnesses necessary

License is good indefinitely - does not expire.

C. Maryland

License must be used within 180 days (6 months) of date of issue.

No witnesses necessary

III. Requirements for filling out the license

A. Virginia

Celebrant must complete, sign, and forward both forms of the marriage license

to the Clerk of the Court who issued the license within 5 days after the ceremony is performed.

Couple can obtain a certified copy of a marriage license from the Circuit Court Clerk's Office that issued the marriage license. Request must be made in person or by mail.

B. District of Columbia

Marriage licenses are addressed to the minister who will perform the ceremony. The minister must complete a marriage certificate for the bride and for the groom and return another certificate to the clerk of the District of Columbia Court of General Sessions within 10 days after the marriage.

Couple can obtain a certified copy of a marriage license from the DC Superior Court by requesting it in person or by mail. The fee is \$10 per certified copy.

C. Maryland

Instructions for completion and distribution are on the copies of the license. Give the top copy to the couple. Complete and sign the green copy and return it to the Clerk's Office in the envelope provided no later than 5 days after the ceremony. Keep the white copy for your records.

Provide date of ceremony and city/town where ceremony performed; celebrant's signature; celebrant's title and office; and mailing address. Also provide the printed name of the celebrant and a phone number.

Certified copies can be obtained once the return has been received by the Clerk's Office from the minister. Certified copies are \$5 each.

IV. Requirements/Process for Couple to Receive their License

A. Virginia

License issued by the Circuit Court Clerk of any city or county in Virginia

Do not need to be a resident of Virginia

License issued same day as application made

No blood test required

Both parties must be present to obtain license

Clerk's Office requires some form of identification from each person

Minimum age without parental consent is 18. Minimum age with parental consent is 16.

No statutory waiting period before remarriage after divorce unless court ordered. A copy of the divorce decree not required when applying for license.

Fee for license: \$30 in cash

B. District of Columbia

License issued by the DC Superior Court Marriage Bureau Branch at 500 Indiana Avenue NW, Room 4485

Do not have to be a resident of DC.

License issued five days after day of application. You must have your receipt to pick up the license. Licenses not issued by mail.

Blood test for (VDRL) syphilis is required. Test results only good for 30 days. Results and physician certification must be on DHR 336 form.

Both parties must be present to obtain license.

Superior Court requires some form of identification from each person

Minimum age with proof of age and without parental consent is 18. Minimum age with parental consent is 16.

There is a 60-day waiting period between receiving a final divorce decree before being able to apply for a marriage license.

\$45 - cash only.

C. Maryland

License issued by the Circuit Court Clerk's Office in the county where the marriage is to take place.

Do not need to be a resident of Maryland.

License issued same day as application made, but not valid for 48 hours.

No blood test required

One party must apply for license in person with proof of age and Social Security numbers for both parties.

Minimum age without parental consent is 18. An individual 16 or 17 years of age must have parental consent or a certificate from a licensed physician stating that the physician has examined the woman to be married and has found that she is pregnant or has given birth to a child. An individual 15 years of age must have parental consent and a certificate from a licensed physician stating that the physician has examined the woman to be married and has found that she is pregnant or has given birth to a child. An individual under 15 years of age may not marry.

No waiting period after divorce finalized beyond the mandatory 48 hours after applying for the marriage license. Copy of final divorce decree is required. Date and place of death must be provided if either party is widowed.

Fee for license varies for each county.

Information gathered from the following on-line resources:

Wise County, VA Circuit Court

<http://www.courtbar.org/>

Fairfax County, VA Circuit Court

http://www.co.fairfax.va.us/courts/circuit/marriage_info.htm

Prince William County, VA Circuit Court

<http://www.co.prince-william.va.us/default.aspx?topic=040017000080000164>

D.C. Superior Court Marriage Bureau Branch

<http://www.dccourts.gov/dccourts/superior/family/marriage.jsp>

Montgomery County, MD Circuit Court

<http://www.montgomerycountymd.gov/mc/judicial/circuit/services/crtclerk/license/license.html>

Queen Anne's County, MD Circuit Court

<http://www.courts.state.md.us/clerks/queenannes/>

Calvert County, MD Circuit Court

<http://www.courts.state.md.us/clerks/calvert/>

www.USMarriageLaws.com

Further information gathering from phone interviews:

Montgomery Co. Circuit Court
240-777-9460

Arlington Co. Circuit Court Clerk's Office
703-228-7010

Wise Co. Circuit Court Clerk's Office
540-328-6111

D.C. Superior Court
202-879-4840