

MITCHELL COUNTY

REQUIREMENTS FOR OBTAINING A MARRIAGE LICENSE



1. The bride and groom must bring the following to the Mitchell County Clerk's Office at the County Courthouse:
 - Proof of identity and age using documents approved by state law. These may include an official copy of the applicant's birth certificate, a driver's license or state-issued identification card, or an approved document issued by Texas or another state, the United States, or a foreign government (i.e., passport, visa, military identification, etc.). For more proof of identity and age options, please call or visit our office.
 - The Social Security Number of each applicant (if the applicant has one). Applicants do not need to show a Social Security Card.
 - If divorced, and the divorce was finalized in Texas within the previous 30 days, an applicant must provide a certified copy of the divorce decree which states that the 30-day waiting period has been waived. This does not apply to out-of-state divorcees.

If a previously-divorced applicant wishes to use her maiden name, she will need to provide identification showing that maiden name (such as a certified copy of her birth certificate or a certified copy of her divorce decree that states her name is to be changed).

2. At the Clerk's Office, the bride and groom will complete a marriage license application and pay the \$82.00 license fee.

Note: The **"Together in Texas" Program** allows applicants who have completed the State Approved Pre-marital Education Course may have the formal license fee reduced to \$22.00 and the 72-hour waiting period waived by presenting the state-issued course completion certificate when applying for the license. Please visit www.togetherintexas.com to locate classes in your area.

Additionally, a member of the armed forces of the United States on active duty, who is preparing to be deployed to serve in a hostile fire zone as designated by the United States Secretary of Defense is exempt from marriage license fees.

3. There is a 72 hour waiting period once a couple has obtained a marriage license. This means that the couple cannot get married until that 72 hour waiting period is over. The only way to waive the 72 hour waiting period is per a Judge's order or if one of the applicants is on active military duty or the couple completes the "Together in Texas" program and presents the certificate of completion.

**Mitchell County Clerk ▪ 349 Oak Street, Room 103 ▪ Colorado City, TX 79512
(325) 728-3481 Office ▪ (325) 728-5322 Fax**

4. Following the ceremony, the person authorized to conduct the service must date, sign, and note the county where the ceremony occurred on the certificate. The marriage license must then be returned to the Mitchell County Clerk's Office within 30 days from the ceremony date. Once the office receives the license, it will be copied and filed and the original will be returned to you.

Special Circumstances

Proxy Marriage or Absent Applicant

Texas law does allow certain exceptions to the requirement that both applicants appear before the County Clerk to apply for a marriage license. An Affidavit for Absent Applicant must be completed, forms are available in our office as well as requirements for obtaining an Absent Applicant Marriage License. Also for the Ceremony, applicants using an Absent Applicant Affidavit must be present unless the Absent Applicant is a member of the armed forces of the United States stationed in another country in support of combat or another military operation **AND** is unable to attend the ceremony. If both conditions are met a Proxy maybe appointed. *If the Absent Applicant is in a correctional facility during the 90 days of the license's validity, please contact that facility to determine if a ceremony can be conducted during that time period.

If you have questions regarding these forms or a situation not described above (such as the inability of both applicants to appear), please contact our office at (325) 728-3481.

Informal Marriage Licenses (Common Law)

The County Clerk's office also issues Declaration of Informal Marriage Licenses sometimes referred to as a Common Law Marriage License. The cost is \$47.00. Both parties must be present. Current, valid identification must be provided, along with Social Security number. It is important to note that Informal Marriage Licenses are not recognized by the Federal Government. Both parties to this license must appear. No one under the age of 18 may apply for this type of license.

Certified Copies of Marriage Licenses

The County Clerk's office has marriage records from 1888 to the present. Marriage Licenses are public records and anyone wishing to obtain a copy may do so. The cost of a certified copy is \$10.00. A noncertified copy is \$5.00. A request for a copy may be made in person by completing a request form or by sending payment along with the party's names and date of marriage to: County Clerk, 349 Oak St, Rm 103, Colorado City, TX 79512.

The clerk's office also has index information available online at www.edoctecinc.com.