STATE OF IOWA
MARRIAGE INSTRUCTIONS

IT IS THE RESPONSIBILITY OF APPLICANTS TO READ THIS CAREFULLY BEFORE MAKING APPLICATION!

General Information:

Prior to a marriage ceremony in Iowa, a License to Marry shall be obtained from a local County Registrar, who also perform County Recorder functions and have offices either in a county courthouse or county administration building.

- The License to Marry in Iowa is valid ONLY for marriage ceremonies solemnized within the boundaries of the State of Iowa by authorized Officiants as defined in Iowa Code section 595.10 (i.e., Iowa judges, magistrates, ordained ministers).

- All parties in the marriage ceremony shall be present at the same time and location. At a minimum, the parties to be married, the Officiant (the authorized person who performs the wedding ceremony), and two witnesses must be physically present. Marriage ceremonies are not valid by proxy, telephone, or other electronic means.

Iowa law provides that marriage is a civil contract between two persons who are (1) 18 years of age or older; (2) not already married to each other or still legally married to someone else; (3) not closely related by blood or first cousins; and (4) legally competent to enter into a civil contract.

- **Minors**. Persons aged 16 and 17 may marry only with special permission from a judge and should request a "Consent to Marriage of a Minor" form when making application for a marriage license and present it to a judge within the county's judicial district. Return the signed form to the County Registrar to complete the marriage application process. Persons aged 15 and under may not marry in Iowa.

Persons who wish to marry in Iowa, and who meet the above criteria, may complete an Application for License to Marry in Iowa form. All items on the application, **other than those marked optional**, shall be satisfactorily completed in order to process the request for a License to Marry in Iowa, including the Affidavit of Competent and Disinterested Person on the reverse side of the application form.

- Applicants are NOT required to be U.S. citizens; however, all parties must provide satisfactory proof of identification to the notary public upon signing the application to marry, preferably a valid U.S. government-issued ID.

- Applications may only be obtained from a County Registrar's office, either in person or by mail. Applications may be returned by either of the applicants to the county in which the application and marriage certificate are to be filed. The county of license does NOT have to be the same as the county where the marriage ceremony takes place.

Making Application:

1. **Each party** should complete their own designated section on the Application for License to Marry in Iowa form. **Type or print legibly. Do NOT use all capital letters.**

2. **Legal Names.** List your current full legal name as your name before marriage. Include your name as it appears on your birth certificate (i.e., your name prior to any marriage). Also list your legal names as they are to be after the marriage ceremony. Your legal names after marriage are determined when you complete the Application for License to Marry in Iowa, which is notarized and legally binding by law.

- Pursuant to Iowa Code section 595.5, a new legal name may be adopted through marriage. Except for typographical errors on the part of the County Registrar, a subsequent change of name will require a Legal Change of Name court order, which will not be reflected on the marriage certificate.

- A name change acquired through marriage does not change an individual's birth certificate. The name on the birth certificate is the name prior to any marriage and is asked for when establishing a child's birth record. If a person is legally adopted, the legal name after the adoption now appears on the person's birth certificate.

3. **Notarized Signatures.** Each party to the marriage application must sign in front of an authorized Notary Public who is not a family member and follows all other criteria required of notary publics. County Registrars, by law, are authorized to provide notary public service for vital records purposes. Another notary public service may be used and the completed and notarized Application for License to Marry in Iowa form returned to the County Registrar in the county issuing the License to Marry in Iowa.

- By signing in front of a Notary Public, the signatory is acknowledging that the information provided on the Application for License to Marry in Iowa form is correct to the best of their knowledge and belief and that they are legally able to marry. The notary public is required by law to ask for satisfactory proof of identification that contains a previously signed signature. Parties to the marriage application are responsible for reporting accurate and true information, not the notary public or the County Registrar.

4. **Affidavit of Competent and Disinterested Person.** An individual of legal age who is acquainted with both parties who plan to marry is required to complete the affidavit on the back of the Application for License to Marry in Iowa form and sign in front of a notary public. This person must be unbiased regarding the result of the pending marriage and competent to enter a civil contract. A family member may serve as the disinterested person if he or she meets these criteria.

5. **Fee.** A $35 fee is due upon application for the license to marry and includes a certified copy of the Certificate of Marriage. The fee is NOT refundable if the marriage solemnization does not take place as planned.

- Pursuant Iowa Code section 595.13, the Officiant shall return the completed and signed certificate form within 15 days after the ceremony. If a certified copy is needed right away, ask your Officiant to submit the record for registration promptly. **By law, the County Registrar is not authorized to verify over the phone whether or not the record has been received for registration.**

- When the Officiant files the Certificate of Marriage in the county of license, the County Registrar will review and register the record. The parties will then be issued a certified copy of their Certificate of Marriage in care of the couple's most current address as known by the Registrar's office.

- It is the sole responsibility of the parties to provide the County Registrar with any updated mailing information in writing, or to pick up the certified copy in person from the County Registrar's office.

6. **Optional Sections.**
Each party to the marriage may choose a title – bride, groom, or spouse – to be included on the Certificate of Marriage by checking their preferred designation on the Application for License to Marry in Iowa form. Resident information is self-reported and is a reflection of the residence at the time of application. Parent names listed on the Application for License to Marry in Iowa is self-reported. It is recommended that names of parents are listed as they appear on the applicant's birth record.

License to Marry:

Upon receipt and acceptance of a completed application, the County Registrar may issue the License to Marry. The license shall become valid after the expiration of three calendar days after the date of acceptance. If the license is not retrieved from the County Registrar within six months from the date of application, the application is considered null and void.

When the marriage license valid date is computed, the day of application is excluded (i.e., is not counted).

Date of Application:	Valid Date of License:
Monday	Friday
Tuesday	Saturday
Wednesday	Sunday
Thursday	Monday
Friday	Tuesday

The 3-day waiting period may be waived by a district judge in the county's judicial district pursuant to Iowa Code section 595.4. An Application for Waiver of 3-Day Waiting Period form is available from the County Registrar. If the waiver is granted, the County Registrar shall collect a $5 fee in addition to the $35 fee to apply for a license.

The Ceremony:

1. **License to Marry in Iowa.** The License to Marry may only be used in Iowa and only after its stated "valid date." The County Registrar will provide the parties two copies of the License, one for their personal records and one to present to the Officiant as proof of proper application to marry. The License does **NOT** prove that the marriage event has occurred; only that application to marry has been made.

2. **Certificate Form.** The County Registrar will also prepare the original state copy of the Certificate of Marriage form. Immediately after the marriage ceremony, the Officiant shall complete the blank items pertaining to the marriage ceremony and obtain the required signatures. **Signatures must be legible and in black ink to ensure an accurate recording of the marriage.** The parties married shall sign, at a minimum, their first and last legal name as indicated on the Application for License to Marry in Iowa. Two persons present at the ceremony, as well as the Officiant, shall also sign the form and print their names. The signing witnesses must be of an age and competency to enter a civil contract themselves. Photocopies of the Certificate of Marriage prior to registration are prohibited. The Officiant may **NOT** affix any kind of seal to the Certificate of Marriage.

The original Certificate of Marriage shall not later be modified to reflect a court-ordered Legal Change of Name.

3. **Registration**. Within 15 days after the marriage ceremony, the Officiant shall file for registration the state copy of the Certificate of Marriage with the County Registrar that issued the License to Marry.

4. **Certified Copy.** Upon registration of the Certificate of Marriage, the County Registrar shall issue the married parties a certified copy of the certificate pursuant to Iowa Code section 595.16A. The married parties are responsible for either picking up the certified copy in person or providing the County Registrar with a written statement to mail the copy to a good deliverable mailing address.

Additional certified copies of the Certificate of Marriage record may be purchased by entitled persons from either the County Registrar in the county of license or from the state vital records office. Written application and photo identification are required, as well a notarized signature if by mail.

The Certificate of Marriage and the Application for License to Marry in Iowa are public records available for inspection at the county level per Iowa Code section 144.43, except for the parties' social security numbers.

Name Change Notification:

If a change of name was adopted through the marriage, the married parties must change their names directly with businesses and government agencies (e.g., SSA, DOT). Most organizations will ask to see the certified copy of the Certificate of Marriage. There should be no cost involved.

Once these transactions are accomplished, keep the certified copy in a safe, protected location to avoid identity theft or damage to the safety paper (which voids the copy).