

## 2020 POLK COUNTY - MARRIAGE LICENSE INFORMATION

**\*\*UPDATED 3/17/2020\*\***

**\*\*UPDATED INFO ON: TEMPORARY PROCEDURE CHANGES FOR COVID-19 PANDEMIC PREVENTION\*\***

**\*\*Effective 3/17/2020:** Marriage license applications are processed in the Polk County Clerk's office of the Polk County Government Center in Balsam Lake. **Presently, Polk County requires couples to have an appointment to apply for a marriage license.** Please contact the County Clerk's office (715) 485-9226 to schedule this appointment. Have the pre-scheduled date of your future marriage and your officiant's contact information available when you call to request an appointment. **At this time we are unable to set up an appointments for couples who do not have a wedding date already scheduled.**

Items need at the time of application:

- BOTH applicants must appear in person at the same time
- proof of residency (e.g. driver's license, ID card, current bill)
- certified copy of birth certificate
- certified copy of: divorce decree, annulment (judge's signature and 6-month waiting period) or death certificate from last marriage.
- Fee: \$90.00 (cash or check only-NO credit or debit cards)
- Provide social security numbers
- Name, address and phone number of person performing marriage

The following is a summary of the laws of the State of Wisconsin pertaining to the marriage license.

### MARRIAGEABLE AGE

The legal age for contracting marriage is 16 for both male and female. However, between the ages of 16 and 18, the consent of the parents or legal guardian having care, custody and control of the minor is required. No consent is needed at age 18 and over.

### WHO SHALL NOT MARRY

No marriage shall be contracted by a person who has a husband or wife living. Relationship may not usually be nearer than second cousins. Both parties must have sufficient mental capacity to understand the marriage contract.

No person shall marry who is a party to a divorce action in this state or elsewhere until 6 months after the granting of the divorce judgment.

If a person who resides in Wisconsin and intends to continue to reside in Wisconsin is prohibited from marrying in this state, then a marriage contracted in another state will be void in Wisconsin.

### WHERE MUST LICENSE BE SECURED

Licenses must be secured from the County Clerk of the county in which one of the parties resides. The marriage may then take place anywhere in the state. If both parties are non-residents of this state, the license must be secured in the county in which the marriage is to take place. Both parties must appear before the County Clerk to make application for the license.

### PHYSICAL EXAMINATIONS AND BLOOD TESTS – NOT REQUIRED

### APPLICATION FOR LICENSE

The application for marriage license must be made at least 6 days before the license can be issued. The County Clerk may at her discretion and **for sufficient reason** waive the 6-day waiting period. The fee for this waiver is \$20.00. The marriage license is **valid for 30 days from the date of issue.**

### DOCUMENTS NEEDED

Each party shall present documentary proof of identification and residence. A driver's license, ID card or other evidence showing signature and place of residence is acceptable. Each applicant must exhibit a certified copy of his birth certificate. A baptismal or hospital certificate is not acceptable. The only acceptable certificate is a copy of the one on record, at the State Bureau of Vital Statistics or the Register of Deeds. In some states it may be filed at the District Court Office.

A certified copy of a divorce decree, annulment decree or death certificate from the most recent-former marriage must be presented.

If social security numbers are not provided a marriage license cannot be issued.

### POSTING OR PUBLICIZING

The County Clerk must post in a conspicuous place in his/her office the names of each applicant. This is to give the public a 6-day notice that the marriage is to take place. Any objections to the marriage may be made because of this public notice. Because this posting is mandatory under the law, it is not possible to keep the license names from being listed in the newspapers. It is for these public postings that the notices are picked-up.

### LICENSES AND FEES

The license is issued 6 days after the application is completed. **The license is good for 30 days from the date of issuing.** The issuing of the license does not remove any legal impediment to the marriage. The fee for the license is \$90.00 payable at the time of application.

### OFFICIATING PERSON

Marriage may be solemnized by any ordained clergyman, licentiate or appointee serving as a clergyman of a church. A civil ceremony may be performed only by a Judge of a County of Record or by a Court Commissioner.

The following Judges will perform ceremonies during normal business hours (8:30-4:30) at the Polk County Justice Center by appointment:

#### Circuit Judge, Branch 1

Daniel Tolan (715) 485-9293

#### Circuit Judge Branch 2

Jeff Anderson (715) 485-9233

The following Municipal Judges will perform ceremonies at places other than the Courthouse and by appointment:

<u>Municipal Judge:</u>	Chelsea Whitley	(715) 268-5600
<u>Municipal Judge:</u>	Priscilla Dorn-Cutler	(715) 755-3161

### WITNESSES

The two witnesses to the marriage ceremony must be adults. An adult is someone 18 years of age or over. The witnesses do not have to be members of the bridal party. However, the two who sign the Certificates of Marriage must have witnessed the ceremony and be 18 years of age or older.

This should answer most the questions regarding the legal aspects of marriage. For additional questions please contact the Polk County Clerk's office Monday-Friday 8:30am -4:30pm at (715) 485-9226.