

# GETTING MARRIED IN MICHIGAN? WHAT YOU NEED TO KNOW....

## Who can marry....

To be able to marry you must not be married to someone else. (MCL 551.5) *If you have been married before, you may be asked to document that the earlier marriage has ended due to death or divorce.*

To obtain a Michigan marriage license the couple must be 18 years of age or older and be able to enter into legal contracts. (MCL 551.103)

If 16 or 17 years of age, a person can apply for a license but must have parental consent or consent of their legal guardian to marry. If custody of a person applying for a license under the age of 18 has been awarded by the court, the consent must be from a custodial parent. (MCL 551.51 and 551.103)

## Where to apply and where to marry....

If either of the couple are Michigan residents, they must apply with the county clerk where one or both have legal residence. Once the license is issued, Michigan residents can marry anywhere in the state. (MCL 551.101)

If neither of the couple lives in Michigan, they must apply with the county clerk where the marriage ceremony is to be performed. Once issued, the license can be used only in the issuing county. (MCL 551.101)

*In either case, a Michigan license is **not valid outside the state of Michigan.***

## Who can you marry....

There are restrictions on who someone can marry. (MCL 551.3 and 551.4)

A man cannot marry his mother, sister, grandmother, daughter, granddaughter, stepmother, grandfather's wife, son's wife, grandson's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, brother's daughter, sister's daughter, father's sister, mother's sister, or cousin of the first degree.

A woman cannot marry her father, brother, grandfather, son, grandson, stepfather, grandmother's husband, daughter's husband, granddaughter's husband, husband's father, husband's grandfather, husband's son, husband's grandson, brother's son, sister's son, father's brother, mother's brother, or cousin of the first degree.

## The three day waiting period....

Generally, a marriage license is not issued for a period of three days, including the date of the application. Applicants can, however, request a waiver of the three day waiting period from the clerk issuing the license. (MCL 551.103a)

## Special notice of perjury....

*Note that the application for a marriage license is a sworn affidavit. Making false statements in the marriage license affidavit is **an act of perjury** which is a prosecutable offense. (MCL 551.108)*