



WISCONSIN DEPARTMENT
of **HEALTH SERVICES**

Division of Public Health
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WISCONSIN COUNTY CLERK
VITAL RECORDS
MARRIAGE HANDBOOK

Revision History

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General Information

County Clerk Marriage Handbook

This County Clerk Marriage Handbook is a reference manual that provides information concerning Wisconsin’s legal marriage process for county clerk staff. Wisconsin Statute¹ § 69.03 gives the State Registrar of Vital Records oversight and authority to develop policy and procedure guidelines to ensure consistent and accurate creation, registration, and storage of all Wisconsin vital records, including the electronic marriage record and any additional documents related to each marriage.

Other provisions of Wis. Stat. Ch. 69 affect the marriage process. In addition, Wis. Stat. Ch. 765, part of the “Family Code,” includes marriage licensing issues. Therefore, there will be references to both Wis. Stat. Chs. 69 and 765 throughout this handbook.

Statewide Vital Records Information System (SVRIS)

The Statewide Vital Records Information System (SVRIS) is an automated, secure, web-based software application designed to process vital records from point of initial entry and certification through registration, certificate issuance, and amendments. The primary objective of SVRIS is to improve standardization of operations, timeliness, and data quality for the State Vital Records Office (SVRO) and statewide business partners. The SVRO is responsible for application and infrastructure support of the SVRIS.

Wisconsin Vital Records Filing Authorities

Office	Birth	Death	Marriage	Domestic Partnerships and Termination of Domestic Partnerships	Divorce and Annulment
SVRO	WI birth certificates	WI death certificates	WI marriage certificates	All WI DP and TDP certificates	All WI divorces and annulment certificates
Register of Deeds	Births that occurred in that county Mother’s residence at the time of birth	Deaths that occurred in that county County of residence at the time of death	Marriages that were filed in that county	WI Domestic Partnerships and Termination of Domestic Partnerships issued in that county	
Milwaukee and West Allis Health Offices	Births that occurred in that city	Deaths that occurred in that city			
Clerk of Court					All WI divorces and annulments decrees
County Clerk			Marriage license applications that were issued in that county within the past 10 years	Domestic Partnerships and Termination of Domestic Partnerships applied for and issued in that office	

¹ Hereafter abbreviated “Wis. Stat.”

Definition of Marriage Documents

The statutes define “marriage documents” to include the marriage license application, including the confidential information collected for statistical purposes only, the marriage license, and the marriage certificate. Wis. Stat. § 765.002. The documents are titled the Marriage License Application, the Marriage License Certificate Worksheet, and the Certificate of Marriage. All marriage documents are located in the SVRIS.

- The Marriage License Application is the document that each couple completes and signs at the County Clerk’s Office when applying to be married in Wisconsin.
- The Marriage License Worksheet has two parts:
 1. The Marriage License section is the portion of the form in which, if the statutory requirements are met, the county clerk authorizes that the marriage can take place.
 2. The Marriage License Worksheet section is the portion of the form that contains information concerning the marriage ceremony and signatures resulting from the ceremony.

The Marriage License Worksheet is a critical document. It must be filed with the Register of Deeds office in the county of marriage within three days of the marriage. If it is not filed, a Certificate of Marriage cannot be issued. If it is not filed within 365 days, the couple or individuals demonstrating a direct and tangible interest in having the document registered can petition the court as provided in Wis. Stat. § 69.16(2). Persons with a direct and tangible interest include the registrants, immediate family members, the parent of a registrant (unless parental rights have been terminated), the registrant’s legal custodian or guardian, a representative authorized by any of the preceding persons including an attorney, and a person who can demonstrate the record is needed to secure a personal or property right. Wis. Stat. § 69.01(17).

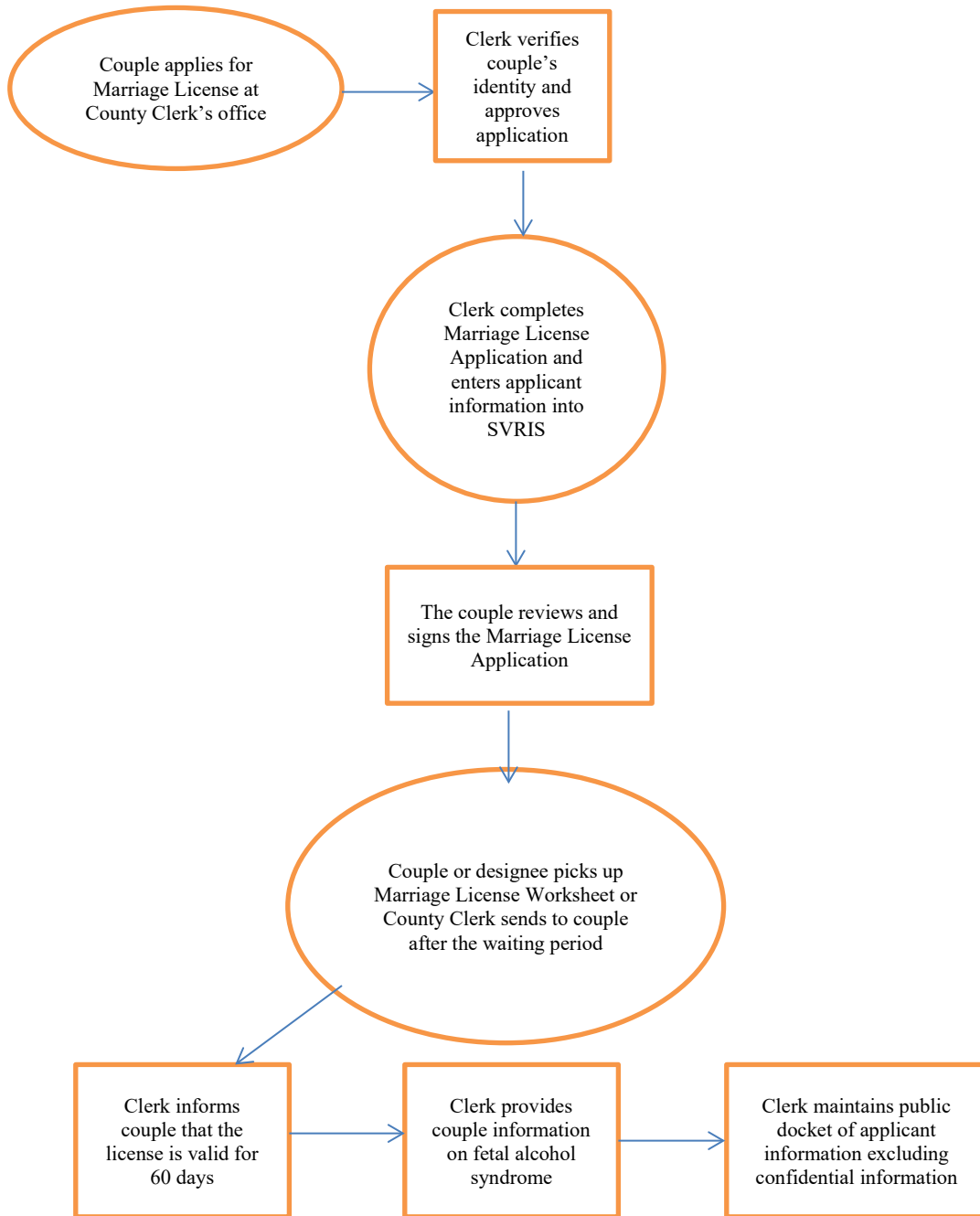
- The Certificate of Marriage is the document that the married couple receives once the Marriage License Worksheet has been filed in the Register of Deeds office. The couple or other individuals demonstrating a direct and tangible interest may request a certified copy of the Certificate of Marriage. The Certificate of Marriage is required for a variety of reasons, such as name changes, insurance, and legal matters. Certified copies may be obtained from any county Register of Deeds Office in Wisconsin or the SVRO.

Fees

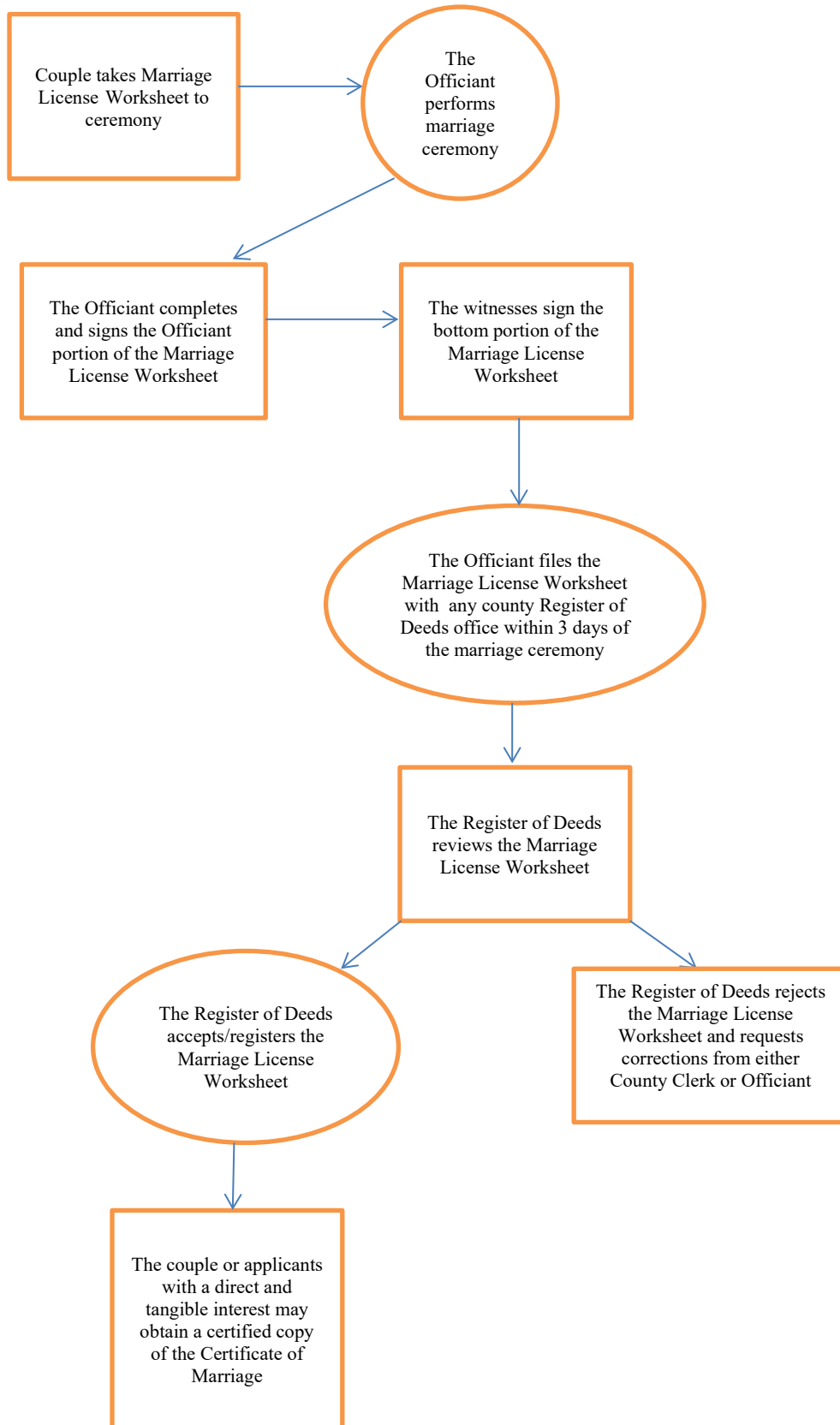
- Each county clerk shall receive a fee for each license in the sum of \$49.50, of which \$24.50 shall become a part of the funds of the county, and \$25 shall be paid into the state treasury.
- The county shall use \$20 of the amount it retains from each license fee only for expenses incurred under Wis. Stats. § 767.405. The county may, but is not required to, use any or all of the remainder of the amount it retains for education, training, or services related to domestic violence.
- Each county board may increase the license fee of \$49.50 by any amount, and that amount shall become a part of the funds of the county.

Overview: Marriage Process Workflow

Wisconsin Marriage License Application



Wisconsin Marriage License/Wisconsin Marriage Certificate Worksheet



Marriage License Requirements – Wis. Stat. § 765.05

No person may be joined in marriage within this state until a marriage license has been obtained.

Marriage licenses can be obtained from the county clerk of any county in Wisconsin, and the marriage ceremony can be performed in any county in Wisconsin.

If one of the persons is a nonresident of Wisconsin, the nonresident's part of the application may be completed, and sworn to or affirmed, before the person authorized to accept marriage license applications in the county and state in which the nonresident resides.

Who May Marry – Wis. Stat. § 765.02

- Every person who has attained the age of 18 years may marry if otherwise competent.
- If a person is between the age of 16 and 18 years, a marriage license may be issued with the written consent of the person's parents, guardian, legal custodian, or parent having the actual care, custody and control of the person. The written consent must be given before the county clerk under oath, or certified in writing and verified by affidavit or affirmation before a notary public or other official authorized to take affidavits. The written consent must be filed with the county clerk at the time of application for a marriage license.

If there is no guardian, parent or custodian or if the custodian is an agency or department, the written consent may be given, after notice to any agency or department appointed as custodian and hearing proper cause shown, by the court having probate jurisdiction.

An applicant may apply without the parental/guardian consent form before his or her 18th birthday as long as the marriage does not occur before the birthday. In such cases, never release the marriage license worksheet out of the county clerk's office before the applicant's 18th birthday.

- If a couple or one of the parties to a domestic partnership enters into a marriage that is recognized in this state, the domestic partnership is automatically terminated on the date of the marriage. Wis. Stat. § 770.12(4)(b).

Validity of Marriages of Epileptics – Wis. Stat. § 765.035

Prior to April 24, 1953, epileptics were prohibited from marrying. The law has since recognized those marriages as valid and legal.

Who May Not Marry – Wis. Stat. § 765.03

- Persons under the age of 16 may not marry even with parental consent.
- No marriage shall be contracted while either of the parties has a spouse living.
- No marriage shall be contracted between persons who are nearer of kin than second cousins except that marriage may be contracted between first cousins where the female has attained the age of 55 years or where either party, at the time of application for a marriage license, submits an affidavit signed by a physician stating that either party is permanently sterile.
- A marriage may not be contracted if either party has such want of understanding as renders him or her incapable of assenting to marriage. If an applicant is under a guardianship, he or she may have been found incompetent to exercise the right to marry; however, that should not be assumed.
- It is unlawful for any person who is or has been a party to an action for divorce in any court in this state, or elsewhere, to marry again until six months after judgment of divorce is granted, and the marriage of any such person solemnized before the expiration of six months from the date of the granting of judgment of divorce shall be void.

- No application for a marriage license may be made by persons lawfully married to each other per Wis. Stat. § 765.09(1)(a). However, if the marriage was void under Wis. Stat. § 765.03 (2) because one of the parties was divorced within the past six months, the parties may validate the marriage under Wis. Stat. § 765.21 after six months from the divorce.

Consent to Marry – Wis. Stat. § 765.02

- If an applicant is between 16 and 18, the parent(s), legal guardian, court-appointed custodian, or person having actual care, custody, and control of the applicant must sign the consent form F-05063 located in SVRIS. The Spanish version of the form can be obtained electronically from SVRO. The consent form is an official oath that states that the person signing swears that he or she does have the legal authority to give consent and that consent is given.
- The consent form may either be signed in front of a notary or given before the county clerk under oath. The consent form must be presented to the county clerk at the time of marriage license application.
- If an applicant is under a guardianship, he or she may have been found incompetent to exercise the right to marry. If that is the case, a guardian’s consent is necessary for marriage. As noted above, marriage is a fundamental right that is constitutionally protected. Therefore, clerks must be very cautious in denying the right to marry unless the applicant has lost that legal right.

FAQ: RECISSION OF CONSENT TO MARRY

How long is a parental consent form valid after the person has it signed and notarized?

The parental consent form is valid until the marriage is contracted. Since SVRO advises county clerks not to release the marriage license worksheet early (waiver) in cases requiring parental consent, the person signing the permission form would have the three-day waiting period to initiate a rescission of the permission.

Rescission of permission can occur at any time from the date of application to the time the marriage license worksheet leaves the County Clerk’s Office. The rescission should be made in writing in the County Clerk’s Office. If a parent or guardian wants to rescind permission but cannot come to the office before the marriage license worksheet is scheduled to be picked up, the county clerk should contact a judge for directions on how to proceed.

If the parent or guardian contacts the county clerk to rescind permission after the marriage license worksheet has left the County Clerk’s Office, the county clerk should advise the parent or guardian that they may petition the court to stop the wedding.

Objections to Marriage – Wis. Stat. § 765.11

If any parent, grandparent, child, or natural guardian of a minor applicant for a marriage license, any brother, sister, or guardian of either of the applicants for a marriage license, either of the applicants, the district attorney, or a circuit court commissioner believes that the statements of the application are false or insufficient, or that an applicant is adjudicated incompetent without the right to marry, that person may file with the court having probate jurisdiction in the county in which the marriage license is applied for a petition under oath, setting forth the grounds of objection to the marriage, and asking for an order requiring the parties making the application to show cause why the marriage license should not be refused.

Marriage Abroad to Circumvent the Laws – Wis. Stat. § 765.04

If a marriage is recognized in another state or country, the marriage is generally recognized as a valid marriage in Wisconsin and the applicants cannot enter into a Wisconsin marriage.

If any person who is prohibited from contracting marriage under the laws of this state contracts for the prohibited marriage elsewhere then returns to this state, the marriage shall be void in this state with the same effect as though it had been entered into in this state.

There is a rebuttable presumption that a person married abroad to circumvent the law if that person was:

1. Domiciled in this state within 12 months prior to the marriage, and resumed residence in this state within 18 months after the date of departure therefrom, or
2. At all times after departure from this state, and until returning, maintained a place of residence within this state.

No marriage shall be contracted in this state by a party residing and intending to continue to reside in another state or jurisdiction, if the marriage would be void if contracted in such other state or jurisdiction. Every marriage contracted in this state in violation of this provision shall be invalid.

Common Law Marriage Cannot Be Contracted in Wisconsin

Common law marriages cannot be contracted in Wisconsin. However, Wisconsin courts have recognized common law marriages as valid if they were contracted in a state that permits common law marriages. If an applicant asks about his or her status concerning a common law marriage in another state or country, advise the applicant that he or she may need to seek legal counsel to resolve their marital status question.

Waiting Period/Waiver – Wis. Stat. § 765.08

- Wisconsin law establishes a three-day waiting period between application and issuance of a marriage license. The day of application is not included in the three-day waiting period. For example, if an application is completed on the 10th, the license can be dated and issued on the 14th.
- In the case where one or both parties are divorced, they may apply for a marriage license before the end of the six-month waiting period, but the county clerk should never release the marriage license worksheet to the couple until the waiting period is over.

NOTE: The county clerk may, at his or her discretion, issue a marriage license within less than three days after application if the applicant pays an additional fee of not more than \$25 to cover any increased processing cost incurred by the county. The county clerk shall pay this fee into the county treasury.

Waiver Issuance Best Practices

While there are no guidelines set in statute for waiving the waiting period, several fundamental issues should be taken into consideration when developing office policies on waiving the waiting period.

- It is important that each county set policies that establish equal treatment for all applicants within the county, depending on the circumstances.
- Waiting periods are traditionally established by law, at least in part, to provide a period of time for the parties to make sure that they are making a wise, appropriate decision about a very important civil contract. For many business contracts, there is typically a three- to five-day period in which consumers may cancel the contract. Since a marriage is a contract, the three-day waiting period allows the couple time to make an appropriate decision.
- With certain exceptions, marriage applications are public documents. Providing public access to this information during the waiting period allows other persons to come forward and alert the county clerk and/or the officiant that one or both of the applicants may not be legally able to marry.

Marriage License Application – Wis. Stat. § 765.09

Determination of Identity

- Each applicant for a marriage license shall present satisfactory documentary proof of identification and residence and shall swear to or affirm the application before the clerk who is to issue the marriage license, or the person authorized to accept marriage license applications in the county and state where the party resides.
- Each applicant for a marriage license shall exhibit to the clerk a certified copy of a birth certificate. Never accept an uncertified copy or photocopy of a vital record for identity or proof of eligibility to apply for a marriage license. Per Wis. Stat. § 69.24(1)(a) it is a felony for individuals to photocopy vital records, and photocopies can be easily altered.
- Each applicant shall submit a copy of any court judgment or death certificate affecting the applicant's marital status.

NOTE: If any applicable birth record, death record, or judgment is unobtainable, other satisfactory documentary proof of the requisite facts therein may be presented in lieu of the birth record, death record, or judgment. Wis. Stat. § 765.09(3)(b). If an applicant presents a passport, license, or identification card that meets the requirements of P.L. 109–13, permanent resident card, or naturalization paper in lieu of the birth record, the clerk shall consider such documentation satisfactory documentary proof for purposes of this paragraph.

Court Determination of Proof of Identity

Per Wis. Stat. § 765.09(3)(b), if the clerk is not satisfied with the documentary proof presented, he or she shall notify the applicant that the applicant has the right to request review of the submitted material by a judge of a court of record and shall, upon request by an applicant, submit the presented proof to a judge of a court of record in the county of application for an opinion as to its sufficiency.

FAQ: MARRIAGE LICENSE APPLICATION

1. If the Marriage License Application is scanned, can the original application be destroyed?

Yes. Wis. § 137.20 states that if a law requires that a record be retained, the requirement is satisfied by retaining the information set forth in the record as an electronic record. Wis. Stat. §§ 137.15 and 137.17 may also be of interest as they address electronic records and signatures.

2. If we are to define all Asian races, why not all European races?

We use the standard U.S. census approved listing of races. This is critical for the consistency of data for statistical purposes. In addition, anyone who collects race information and receives federal funds must use those race categories.

Translation/Interpretation of Legal Documents

- Government agencies are required by federal law to take reasonable steps to ensure access to services for people with limited English proficiency. This means supplying interpreters for persons who require them to transact government business.
- It is recommended that relatives or friends of the applicants do not act as an interpreter.
- If any identity, residence, or proofs of eligibility documents are not in English and require translation, it is the responsibility of the applicant(s) to find a translator for the documents. If the county clerk is aware of a translator, the clerk can recommend that translator or recommend that the couple check the Internet for translation services. Clerks should provide applicants with the Translator Certification Statement found in SVRIS. The applicant should provide the completed Translator Certification

Statement with the translated document. Retain the translated documents with the other marriage license documentation.

- The marriage license application form is only available in English and must be completed in English. The marriage license application form instructions for completion are available in Spanish.

Birth Certificates Format

There can be several terms used for birth certificates, including but not limited to: Original Certificate of Live Birth, Birth Certificate, Certification of Birth and Certification.

- Any certified copy of a birth certificate should include a statement that indicates that the certificate issued is a true representation by the Registrar in whose custody the record is filed, and shall include the name of the issuing Registrar, the signature, and the name of the office.
- Wisconsin birth certificates should have a raised seal.
- The certificate should have a date of Registrar issuance.
- The certificate should have a record number that can be referred to as a State File Number; State Certificate Number; or a volume and page number.
- The certificate should have a minimum of first name, middle name (if applicable), last name, suffix (if applicable), date of birth, state of birth, city or county of birth, sex, and parents' names.
- Wisconsin local health department offices issued certified copies of birth certificates prior to 1985. Currently only the local health department offices in the cities of Milwaukee and West Allis issue certified copies for persons born in those respective cities.
- Certified copies of birth certificates issued prior to January 1, 2000, may have been produced on security paper, banknote paper, or plain white photocopy paper. These older issued copies were usually "hand-sealed," and the seal should be easily detected.
- As of January 1, 2000, all Wisconsin vital records offices use the same security paper for issuing certified copies of all vital records. If you question the validity of the security paper, contact your local Register of Deeds Office or SVRO.

Wisconsin issues two types of certified birth certificates. Both types listed below are legally issued certified copies of birth certificates and should be accepted:

1. Computer Short Form: This type contains the information listed above but also contains more information about the parents, including place of birth and either date of birth or age.
2. Computer Long Form: This type contains all of the information that is listed on a short form birth certificate, but also includes such items as the hospital name and time of birth.

Wisconsin issued computer abstract copies in the past, as well as photocopies of original paper certificates, so these may also be accepted, provided they are on security paper and certified.

- Computer Abstract: This type contains limited birth information including child's name, date of birth, county of birth, sex, parents' names, file date, state certificate number, and amendment information if applicable.
- Photocopy of original paper birth certificate: This type is a photocopy of an original paper birth certificate and may contain handwritten information and signatures.

NOTE: If an applicant does not have a certified copy of his or her birth certificate, and the applicant was born in Wisconsin, refer the applicant to any of the 72 county Register of Deeds offices, the Milwaukee City Health Office, the West Allis City Health Office, or SVRO. Expedited service is available from SVRO and from most county offices. Expedited service is also available at most, if not all, vital records offices in other states. If an applicant cannot obtain a certified copy of his or her birth certificate, advise them that they may provide other satisfactory documentary proof of the needed facts.

FAQ: BIRTH CERTIFICATES

- 1. If an applicant does not have a parent listed on his/her birth certificate but has always considered “John/Jane Doe” his/her parent because he/she raised the applicant, do we leave the parent as unknown or put in “John/Jane Doe”?**

If the applicant’s birth certificate does not list one of his or her parents and the applicant states he or she knows the name of the unlisted parent, the applicant should be advised that the best practice is to have the birth certificate changed prior to adding that parent’s name to the marriage license.

If the applicant prefers to proceed, you may add that parent’s name to the marriage license. However, you should remind the applicant that if the applicant lists a parent’s name without a correction to the original birth record, it may cause problems later on when trying to obtain important documents such as a passport. Furthermore, you should remind the applicant that he or she could face legal problems for claiming a parent who may not have acknowledged parentage.

- 2. If a person applying for a marriage license has had a legal name change and the change shows on his/her birth certificate or the person provides a legal name change court order, what name should be entered in the birth last name field in SVRIS to print on the marriage license worksheet?**

The individual should use their legal name.

- 3. Is it required to enter the person’s name as it appears on his/her birth certificate?**

The person’s legal name should be used. However, birth certificates sometimes contain errors. Each situation needs to be reviewed on a case-by-case basis. It is important that all documents are evaluated, and Clerks take all measures possible to ensure the correctness of the information entered on the marriage license application and the marriage license worksheet.

Alternative Identification Documentation – Wis. Stat. § 765.09(3)(b)

An applicant may have a reasonable explanation for not being able to obtain a certified copy of his or her birth certificate. In such cases, other identity documents may be used. This section provides guidance on alternative acceptable forms of identification.

- These documents should only be accepted when the applicant has a valid reason for not being able to supply a certified copy of the birth certificate.
- It is recommended that the documentation includes a photo ID and proof of age.
- There should always be more than one document to compare information, and the information should all be consistent.

Examples of Acceptable Documentation for Persons Born in the U.S.

- The applicant could provide a valid unexpired passport in lieu of a certified birth certificate, or
- The applicant could provide proof from the state where he or she was born that there is no birth certificate on file. In this case, if no other satisfactory documentary evidence is available, the applicant should present available documentation to a judge for an opinion as to its sufficiency.

Examples of Acceptable Documentation For Persons Born Outside the U.S.

- If the applicant is a U.S. citizen born outside the U.S., he or she can use the Consular Report of Birth Abroad of a Citizen of the United States of America.
- If the applicant cannot obtain a certified copy of his or her birth certificate, the applicant may use a valid unexpired passport or resident alien card.

Mexican Matricula Consular Cards: SVRO accepts this card as a secondary form of identification.

FAQ: PERSONS FROM OUTSIDE THE U.S.

1. If someone is not a U.S. citizen, do we have to see his or her passport?

No, but the applicant must provide proper ID and all the standard proof of eligibility information to marry that everyone else needs to supply, such as a certified copy of a birth certificate and proof of how last marriage ended, if relevant. If an applicant provides a birth certificate that is not in English, he or she is responsible for the translation.

If an applicant has a valid reason why a birth certificate cannot be obtained, the applicant may present alternative documentation such as the following:

- Valid, unexpired passport
- Resident Alien Card (sometimes referred to as a “green card”)

2. Are there any guidelines to follow as to what information should be obtained from applicants from foreign countries?

You must treat all applicants equally. You cannot have different or stricter requirements for someone who is not a citizen of the United States. Lack of a Social Security number does not preclude someone from getting married. Applicants are responsible for providing reliable translations of their documents.

Social Security Numbers (SSN) – Wis. Stat. § 765.09(2)

- The application shall contain the SSN of each party who has a social security number.
- The SSN is not required if the applicant was never issued a SSN.

Proof of How Last Marriage Ended

- If an applicant was previously married, even if a judge granted an annulment, the applicant must show legal proof of how and when the last marriage ended. See Table, Proof of How Last Marriage Ended.

FAQ: PROOF OF HOW LAST MARRIAGE ENDED

Wisconsin Stat. § 765.09(3)(b) states an applicant shall submit a copy of any judgment or death certificate affecting the applicant’s marital status. Does an applicant have to submit a hard copy of a judgment or death certificate or is an electronic copy acceptable?

Per Wis. Stat. § 765.09(3)(b), whenever the clerk is not satisfied with the documentary proof presented, he or she shall submit the presented proof to a judge of a court of record in the county of application for an opinion as to its sufficiency. A record may not be denied legal effect solely because it is in electronic form per Wis. Stat. § 137.15.

Table – Proof of How Last Marriage Ended

How Previous Marriage Ended	Proof Required	Waiting Period Required	Include Previous Marriage?	Notes
Death of Spouse	Certified copy of death certificate or court determination of death (declared dead)	None	Yes	Same rules apply for obtaining expedited copies
Divorced (regardless of the residence of the divorcing parties now or at the time of the divorce) as provided in Wis. Stats. § 765.03(2)	Certified copy of divorce/annulment certificate or divorce decree with court seal showing judgment date	Six (6) months from anniversary date of divorce (e.g., Jan 1 divorce, can marry on July 1)	Yes	No exceptions. Divorce decrees vary in format. Make sure you have an unaltered decree with the final date (or effective date) showing
Divorced six (6) months or more, remarrying spouse	Certified copy of divorce/annulment certificate or divorce decree with court seal showing judgment date	Already specified as six (6) months or more	Yes	Divorce decrees vary in format. Make sure you have an unaltered decree with the final date (or effective date) showing
Divorced less than six (6) months, remarrying spouse	Cannot issue license. Advise them they can petition the court for a Vacate Order for their divorce, nullifying the divorce action and re-establishing their marriage date back to the original date. The County should then send notification to SVRO of the Vacate Order. If they don't want to vacate their divorce, they must wait the six (6) months			
Court Annulment	Certified copy of divorce/annulment certificate or court annulment decree	None	Yes	Annulment decrees vary in format. Make sure you have an unaltered decree that shows the annulment was finalized (the date is not important) Do not accept a church-issued annulment
Applicants “illegally” married to another party prior to this marriage* (e.g., failed to wait six (6) months, left the state to avoid the law, underage)	None (unless they also had the marriage annulled). Proof of prior divorce if there was a prior legal marriage	Depends on circumstances. Contact SVRO if needed	Do not count the illegal marriage unless they also went through an annulment process	If they did not go through the annulment process, advise applicant to seek legal counsel to ensure voided marriage is properly documented as voided
Applicants “illegally” married to each other (e.g., failed to wait 6 months, left state to avoid the law, underage)	The County Clerk should advise the couple to seek legal counsel before remarrying, even if a government official has advised them to remarry Some couples who have been “married” for a long time may want to consider petitioning the court for an “Affirmation of Marriage” court order, per Wis. Stat. § 767.18, in order to save their marital history and avoid other legal problems that may arise from establishing a later date of legal marriage 767.18 Actions to affirm marriage. If the validity of a marriage is denied or doubted by either of the parties, the other party may commence an action to affirm the marriage. The judgment in an action to affirm marriage shall declare the marriage valid or annul the marriage, and is conclusive upon all persons concerned			

Proof of Residence

- Per Wis. Stat. § 765.09(3)(a), each applicant must provide proof of identification and residence.
- The best proof of residence is a valid, unexpired, U.S. issued driver's license or photo ID card.
- If the applicant does not have a current driver's license or photo ID card, other documents, such as a current utility bill or government notification addressed to that person, can be used.

FAQ: PROOF OF RESIDENCE

Do both parties need to provide proof of residence even though they can apply for their marriage license in any county in Wisconsin?

Yes—Per Wis. Stat. § 765.09(3)(a), each applicant for a marriage license shall present satisfactory, documentary proof of identification and residence.

Dual Residence for Certain Applicants

The place of residence can be an optional choice for applicants who are students, military personnel, or incarcerated offenders. An individual in one of these categories usually has proof of his or her current residence but also maintains a legal residence elsewhere.

For this situation, the applicant may choose to claim either residence but must have appropriate identification showing that residence.

Proof of Sterility – Wis. Stat. § 765.03

- If the applicants are nearer of kin than second cousins, they must provide an affidavit signed by a physician confirming permanent sterility or proof that a woman is age 55 or older. A vasectomy is not considered permanent sterilization.
- The physician's affidavit should be stored with the application. If that document contains extraneous medical information about the applicant, that information should not be publicly accessible.
- For purposes of obtaining a marriage license, DHS has interpreted "second cousin" to include those persons who are genealogically first cousins once removed. These persons may marry.

The Marriage Applicant Interview Process

- Provide a reasonably private area to conduct the marriage application interview. This eliminates the potential of revealing applicants' confidential information, which includes Social Security numbers, race, education, phone numbers, and mailing address, to people visiting the County Clerk's Office.
- If the office does not have a private area where the interview can take place, inform the applicants that there is confidential information on the application and ask them if they would prefer to complete the confidential information portion of the application in writing.

General Issuance Practices

Issuance Basics

- County clerk staff must use the marriage documents as prescribed by the State Registrar.
- County clerk staff must enter the information obtained from the marriage applicants into the Statewide Vital Records Information System (SVRIS).
- Applicants must sign the application in the presence of the issuing county clerk or deputy, swearing and affirming that they have given correct information and that they are free to marry.

- The confidential information listed on the marriage license application is only available to the person to whom the information pertains. The requestor may only obtain a copy of the other applicant's confidential information if that person signs the request or if the requestor obtains a court order under Wis. Stat. § 69.20(3)(a).
- The county clerk may issue marriage licenses on Saturdays or Sundays.
- The county clerk must take all measures possible to ensure the accuracy of the information entered into SVRIS.
- The applicants must sign the application prior to the issuance of the marriage license worksheet.
- The county clerk should provide appropriate information to the public and marriage officiants on the marriage license process, applicable fees, and the public docket portion of the license applications.
- The county clerk should discuss wedding ceremony date and place and general officiant information with the applicants to make sure the couple understands laws related to date requirements, license expiration, and relevant officiant laws.
- The county clerk should provide handouts of general instructions for the couple and instructions for the officiant (see information at <https://www.dhs.wisconsin.gov/library/p-01060.htm>) that include information for obtaining an original certificate of marriage, and an explanation of the importance of obtaining a copy/copies of the certificate of marriage.
- If it is necessary to use the marriage documents for instructional or demonstration purposes, always indicate "For Administrative Use Only" on the body of the document. This will eliminate the potential for fraudulent use.
- The county clerk shall inform county clerk staff and marriage applicants that only SVRO and register of deeds staff can issue certified copies of vital records. Vital record applicants must have a direct and tangible interest and provide acceptable identification to obtain a certified copy of a vital record.

FAQ: LICENSE APPLICATION WORKSHEET

1. Can a County Clerk allow online or virtual license issuance?

The decision to allow online or virtual license issuance would be at the discretion of each county clerk office and its county board. If the County Clerk is unsure whether a virtual meeting (or whichever method they wish to use) would satisfy the statutory requirements, they can choose to get a legal opinion.

2. Some people want to take back their prior name after being divorced for several years because they do not want their former married name to be listed on the marriage license worksheet. They are advised to check with the Clerk of Courts or their attorney.

Anyone can take back their prior name through legal proceedings at any time; however, the applicant must have current ID confirming the legality of that name for that name to be listed on a new marriage license worksheet. The marriage license application must show the current legal name.

3. Can the completed signed marriage license worksheet be given to the couple when they leave the office or does it have to be mailed or picked up after the five-day waiting period is over?

If you give the marriage license worksheet to the couple before the three-day waiting period is over, there is the potential that the couple may take advantage and use it early, avoiding the fee for waiver. It could also be a legal problem because the date of issuance may be later than the date of marriage. It is recommended that the couple pick up the license or the County Clerk's Office have it delivered on the date of issuance.

The marriage license worksheet should not be given out before the applicant's six-month post-divorce waiting period has lapsed. If the couple marries before the legal date for remarriage, the marriage is invalid. The marriage license worksheet should not be given out until both parties are at least 18 years of age.

Out-of-Office Applications – Wis. Stat. § 765.05

- If one of the applicants is not able to apply in person, the county clerk may allow one applicant (but not both) to apply by completing the marriage license application form (including compliance with all county marriage license requirements) in the office that issues marriage licenses in the state or country in which the absentee applicant is located. This is subject to the approval of the office that issues marriage licenses in the other location.
- The county clerk may offer to take the marriage license application at another site within the county if the applicant(s) cannot travel for health reasons.

Inmate/Jailed Applicants

- The county clerk must follow the policy established by his or her county concerning issuing marriage licenses to jail or prison inmates. County clerks should keep in mind that prisoners have a constitutional right to marry that should not be impermissibly burdened.
- If a person is in jail in another county, the county clerk is not obligated to travel to another county.

Fetal Alcohol Handout Requirement

Wisconsin Stat. § 765.12(1)(a) mandates that each county clerk shall provide information describing the causes and effects of fetal alcohol syndrome and the dangers to a fetus from the mother's use of cocaine or other drugs during pregnancy with each marriage license worksheet.

For information on Alcohol and Drug Use during Pregnancy: <https://www.cdc.gov/pregnancy/during.html>.

Forms

Legal Form Name	SVRIS Form Name
Court Determination of Proof of Identity	Marriage Court Proof of ID
Translator Certification Statement	Marriage Translator Statement
Waiver of Consent of Guardianship of Marriage Applicant	Marriage Consent Waiver
Consent of Legal Guardian(s) to Marriage of an Adult/Minor	Marriage Consent to Marry
Statement of Proof of Eligibility to Marry	Marriage Eligibility to Marry
Application and Authorization for Waiver to Marry Without Delay	Marriage Five-Day Waiver
Wisconsin Marriage Certificate Application	Marriage Certificate Application
Wisconsin Marriage License Application	Marriage Application

Marriage Docket

- Per Wis. Stat. § 765.20(1), each county clerk shall maintain a marriage license docket, which is a complete record of all marriage license applications, and all other material that the clerk is required to ascertain relative to the rights of any person to obtain a license. The docket must contain the recorded information from the completed application, excluding the confidential portion, which is used only for statistical purposes.

The following items on Page 3 of the marriage license application are considered confidential.

- Social Security Number
 - Hispanic Origin
 - Race
 - Education
 - Contact information (phone, email address and mailing address) except that the address of an applicant may be provided to a law enforcement officer per Wis. Stat. § 765.20(2).
- Items on Page 1 of the Marriage License Application (F-05061) are non-confidential according to Wis. Stat. § 765.20(1) and 765.13.
- All information obtained for the marriage docket is publicly accessible. The docket must be open for public inspection at all times during office hours and must be kept for at least 10 years per Wis. Stat. § 59.52(4)(a)19.

FAQ: MARRIAGE LICENSE DOCKET

1. Is publishing marriage license applications in newspapers a policy set by each individual county?

This policy should be determined by each county. However, confidential information shall be excluded, and non-confidential marriage license application information must be included in the public marriage docket.

2. Why is Hispanic the only ethnicity collected separately from race?

The collection of race and ethnicity in SVRIS follows the federal standard that treats race and ethnicity as separate and independent categories. The race and Hispanic origin categories for federal agencies are mandated by the Office of Management and Budget Directive No. 15, which requires all federal record keeping and data presentation to use at least four race categories (White, Black, American Indian and Alaska Native, Asian and Pacific Islander) and two ethnicity categories (Hispanic, non-Hispanic). These classifications are not intended to be scientific in nature but are designed to promote consistency in federal record keeping and data presentation.

Confidential Information Guidelines

- With certain limited exceptions, the information in a marriage document that is designated on the form as being collected for statistical or medical and statistical use only may not be disclosed, except to the subject of the information or, if the subject is a minor, his or her parent or guardian. Wis. Stat. § 69.20. This confidential information includes, for example, SSN, Race, Hispanic Origin, Education and contact information.
- County clerk staff is responsible to safeguard the privacy and confidentiality of the marriage license data they manage.
- County clerk staff shall not access, use, divulge, copy, release, sell, loan, alter or destroy any confidential or sensitive information from the marriage license application except as properly and clearly authorized within the scope of their job duties and all applicable vital records policies, procedures, and laws.
- If it is necessary to use the marriage documents for instructional or demonstration purposes, always indicate “For Administrative Use Only” on the body of the document. This will eliminate the potential for fraudulent use.
- If a person wants to know what is captured on a marriage license application or marriage license worksheet, provide a copy of the instructions on completing the application.
- All computer data with identifying confidential or sensitive information shall be protected by passwords or access restrictions.
- Wisconsin Stat. § 137.20 states that if a law requires that a record be retained, the requirement is satisfied by retaining the information set forth in the record as an electronic record. County clerks may also find Wis. Stat. §§ 137.15 and 137.17 helpful, as these sections address electronic records and signatures.
- Retrieve paper copies containing identifying confidential or sensitive information from the printers as soon as possible. Never leave paper copies sitting out in plain sight.
- Do not share identifying confidential or sensitive data files with other county personnel.
- Permission to read, copy, or otherwise modify data files containing identifying confidential or sensitive information is granted only to SVRO, and requests for such data should be referred to that office.

- Data files of marriage license applications that have been stripped of confidential material may be read or copied. Aggregate data and confidential material without identifiers, may be copied and read.
- A county may release aggregate data, which is statistical data gathered from confidential data, but the release of the information should be done in a way that ensures there is no means of connecting them with the subject of the information. For example, you may release information about the number of applicants with a high-school education. However, you may not release information that would identify a specific applicant and his/her level of education. Examples of aggregate data:
 - The average level of education of couples applying to be married in that county.
 - The average age of couples applying to be married in a certain time period.
- Once the marriage license application is complete, it is recommended that the confidential portion of the application be separated and retained in a secured area, or in the SVRIS record, for as long as required by Wis. Stat. § 59.52(4)(a)19.
- Documents containing confidential information must be destroyed in a confidential manner, such as shredding.

Law Enforcement Requests – Wis. Stat. § 765.20(2)

A county clerk may provide the name of a marriage license applicant and, from the portion of the marriage application form that is collected for statistical purposes, may provide the address of the marriage license applicant to a law enforcement officer.

A county clerk shall provide an applicant's name and, if it is available, an applicant's address, to a law enforcement officer who requests, in writing, the name and address for the performance of an investigation or the service of a warrant. If a county clerk has not destroyed the portion of the marriage license application form that is collected for statistical purposes, he or she shall keep the information on the portion confidential, unless an exception listed in Wis. Stat. § 69.20(3) applies.

If a written request is made by a law enforcement officer under this subsection, the county clerk shall keep the request with the marriage license application form. If the county clerk destroys the marriage license application form, he or she shall also destroy the written request.

Corrections to the Marriage License Worksheet – Wis. Stat. § 765.12

- If, after completion of the marriage license application, one of the applicants notifies the clerk in writing that any of the information provided by that applicant for the marriage license worksheet is erroneous, the clerk shall notify the other applicant of the correction as soon as reasonably possible.
- If the marriage license worksheet has not been issued, the clerk shall prepare a new license with the correct information.
- If the marriage license worksheet has been issued, but not registered, the clerk shall correct the erroneous information in SVRIS.
- The clerk must request a correction to a registered marriage record from SVRO within 365 days after the marriage event using the amendment process described in the SVRIS manual. Each item may only be amended once without a court order within 365 days after the marriage event. After 365 days, a court order is required for all amendments. Wis. Stat. § 69.11.

Officiants – Wis. Stat. § 765.16

An officiant can be:

- An ordained member of the clergy of any religious denomination or society who continues to be an ordained member of the clergy.
 - A licentiate of a denominational body or an appointee of any bishop serving as the regular member of the clergy of any church of the denomination to which the member of the clergy belongs, if not restrained from so doing by the discipline of the church or denomination.
 - The two parties themselves, by mutual declarations that they take each other as spouses, in accordance with the customs, rules and regulations of any religious society, denomination or sect to which either of the parties may belong.
 - Any justice or judge or a reserve judge appointed under Wis. Stat. § 753.075.
 - A circuit court commissioner appointed under SCR 75.02(1) or supplemental court commissioner appointed under § 757.675(1).
 - Any municipal judge.
- An officiant must be at least 18 years old unless one of the self-officiating parties.
 - The officiating person shall determine that the parties presenting themselves to be married are the parties named in the marriage license worksheet. If the officiant is aware of any legal impediment to the marriage, the officiant should refuse to perform the ceremony. Wis. Stat. § 765.12.
 - The officiant is responsible for delivering the marriage document to the Register of Deeds Office in the county in which the marriage was performed within three days of the date of the marriage. Wis. Stat. § 765.19.

NOTE: The SVRO is unable to confirm the legality of an officiant. If applicants have a question about the legality of the officiant they have chosen, they should seek legal counsel.

FURTHER NOTE: Marriages are not void by reason of want of authority or jurisdiction of the officiant, if the marriage is in other respects lawful, and is consummated with the full belief on the part of either party to the marriage that they have been lawfully joined in marriage. Wis. Stat. § 765.22.

Self-Marriages – Wis. Stat. § 765.16

- Couples may self-marry (without an officiant) in cases where one of the marrying parties, or both, belong to a religious society, denomination, or sect that has customs, rules, and regulations regarding self-marriage.
- The word of the applicant is sufficient; proof regarding religion/denomination/sect is not required.
- Couples who self-officiate use the same marriage documents that are used by all Wisconsin marriage license applicants. The couple completes the officiant portion of the record by entering both of their signatures in the officiant signature field and printing or typing their names in the officiant name field.

The Ceremony

- A marriage may be validly contracted in Wisconsin only after a marriage license has been issued, and only when the mutual declarations of the two parties to be joined are made before an authorized officiating person and in the presence of at least two competent adult witnesses other than the

officiating person. Wis. Stat. § 765.16. A marriage may be solemnized in the presence of only one competent adult witness, other than the officiating person, if one of the parties is serving on active duty in the U.S. Armed Forces or in forces incorporated in the U.S. Armed Forces, in a reserve unit of the U.S. Armed Forces, or in the National Guard.

- The marriage license shall authorize the marriage ceremony to be performed in any county of Wisconsin within 60 days of issuance. When both parties are nonresidents of the state, the ceremony shall be performed only in the county in which the marriage license is issued. Wis. Stat. § 765.05
- Wisconsin Statute § 765.16 requires the mutual declarations of the two parties to be joined in marriage that they take each other as husband and wife, that it be made before an authorized officiating person and in the presence of at least two competent adult witnesses other than the officiating person.
- Officiants should follow Wisconsin Statute § 765.16 regarding the ceremony. An officiant should seek legal counsel if they have questions or concerns related to their role in how a marriage contract is made.
- The Wisconsin marriage license authorizes marriage ceremonies only in Wisconsin. Wis. Stat. § 765.12.
- A marriage license issued by another state or country cannot be legally used to perform a marriage ceremony in Wisconsin. Wis. Stat. § 765.05.
- The marriage license worksheet requires original signatures. Wis. Stat. § 765.09.

NOTE: Marriages will not be void for immaterial irregularities. See Wis. Stat. § 765.23.

FAQ: Officiants; Miscellaneous

1. Can a Wisconsin municipal judge perform a wedding ceremony anywhere in Wisconsin?

Yes: Any judge can perform a marriage anywhere in Wisconsin.

2. Can a judge from another state perform a marriage ceremony in Wisconsin?

Yes: Wisconsin allows an out-of-state judge to perform a marriage ceremony in Wisconsin.

3. Is an Internet-ordained officiant legally authorized to perform marriage in Wisconsin?

The SVRO or State Registrar does not make a determination on the legality of clergy as marriage officiants, and that includes officiants such as those ordained through the Internet. If a couple has concerns about the legality of an officiant they are planning to use for their marriage, they should contact an attorney for a determination. It is not the role of the county clerk, the register of deeds, or SVRO to validate officiants.

4. How long after a marriage license worksheet is accepted/registered with the local Register of Deeds Office will the couple receive a copy?

Once the register of deeds accepts/registers the marriage license worksheet, the couple can then complete an application and pay the appropriate fee to receive a certified copy of their marriage certificate. No one receives a first free copy of the marriage certificate. SVRO suggests that county clerks provide an application to the couple at the time the license is issued.

Filing Procedures

- The officiant must file the marriage license worksheet with the register of deeds within three (3) days of the marriage ceremony per Wis. Stat. § 765.19. If the marriage document is not filed, the applicants are still legally married; however, it is more difficult to show proof of marriage.
- Applicants may purchase certified copies of the marriage certificate from the SVRO or the Register of Deeds Office in any county in Wisconsin.
- It is a felony to make copies of the certified copy of the marriage certificate. Wis. Stats. § 69.24.
- It is permissible to make copies of the marriage license worksheet.

Delayed Registration of Marriages

According to Wis. Stat. § 69.16, a marriage certificate (marriage license worksheet) must be received in the SVRO within 365 days from the date of marriage to be legally filed. If a marriage certificate (marriage license worksheet) is not filed within one year from the date of marriage, a person, with a direct and tangible interest, may petition the circuit court in the county where the marriage occurred for a “Delayed Registration of Marriage as Ordered by the Court” form. If approved, the form can then be filed in the SVRO. One of the pieces of documentation that SVRO suggests the couple obtain prior to obtaining the court order to petition the court is a certification statement for application for a delayed registration of marriage by the county clerk who processed the marriage license application for the couple. This would be a document presented by the petitioner to the County Clerk’s Office in the county where the person claims to have obtained a license. The county clerk would search the available files to determine if a marriage license application is on file, if there is no marriage license application on file, or if no application information is available for the date of marriage requested.

Unacceptable Records

- Wis. Stat. § 69.08 specifies the requirements for the registration of a vital record.
- If a vital record is returned due to an omission or an error, the filing party shall resubmit a corrected record within five working days of receipt of the returned record per Wis. Stat. § 69.09.
- Until 365 days after the subject event, the state registrar may return a record to a local registrar for correction. Wis. Stat. § 69.10. If the error was obviously inadvertent, the state registrar or local registrar may correct it. After 365 days from the date of the event, a person with a direct and tangible interest can petition a court to order a correction.
- The register of deeds may require the assistance of the issuing county clerk to obtain information about the couple and the officiant if there are deficiencies in the officiant’s portion of the marriage document.
- **NOTE:** No marriage shall be void by reason of any irregularity of the form in the application for the marriage license or in the marriage license itself, if the marriage is in other respects lawful and is consummated with the full belief on the part of either of the spouses that they have been lawfully joined in marriage. Wis. Stat. § 765.23.

Marriage Outside of Wisconsin

- Wisconsin residents may not leave the state to marry to avoid Wisconsin marriage laws. Wis. Stat. § 765.04. If the couple returns to Wisconsin within 18 months of the marriage, the law considers that fact rebuttable proof that the couple married outside of Wisconsin to avoid Wisconsin's marriage law. Such marriages are invalid.
- Wisconsin law does not provide for the filing of foreign marriage certificates. The couple will need to safeguard the marriage document they received from the foreign country since they can only obtain replacement copies from the country where the marriage occurred. The couple should obtain multiple legal certified copies of the marriage certificate before leaving the country of marriage.
- It is suggested that if the marriage certificate is not in English, the couple obtain multiple certified copies and have the certified copies legally translated.
- It is suggested that couples who desire to marry outside of the U.S. be encouraged to check with the Social Security Administration on the acceptability of specific marriage documents from their chosen country of marriage.

FAQ: MARRIAGE OUTSIDE OF THE U.S.

If someone was married in another state or country, do they need to enter into a marriage in Wisconsin in order to have the marriage recognized in Wisconsin?

As long as the marriage is recognized as a valid marriage in the other state or country where the marriage took place, the marriage is generally recognized as valid in Wisconsin and they will not need to enter into a Wisconsin marriage. However, per Wis. Stat. 765.04(1), if any person residing and intending to continue to reside in this state who is prohibited from contracting marriage under the laws of this state goes into another state or country and while there contracts a marriage prohibited or declared void under the laws of this state, such marriage shall be void for all purposes in this state with the same effect as though it had been entered into in this state.

Letter of Non-Marriage

- Some countries may require proof of non-marriage to marry in that country. The SVRO provides a Letter of Non-Marriage upon request.
- If the applicant requires proof that no Certificate of Marriage has been filed with the SVRO, a search for a Certificate of Marriage is conducted for those years that the applicant was a resident of Wisconsin (1) from the time they turned 16 years of age until the present OR (2) from the time their last marriage ended in annulment, divorce, or death.
- If no Certificate of Marriage is found, the applicant receives a notarized Letter of Non-Marriage as proof that no Certificate of Marriage is on file in the SVRO. While this search does not actually provide proof that the person is not married, this letter usually fulfills the requirements of the country in question.
- The fee to obtain a Letter of Non-Marriage is \$20 for the first copy, and \$3 for each copy of the same letter issued at the same time as the first copy. The Letter of Non-Marriage Application can be found on the Vital Records website: <https://www.dhs.wisconsin.gov/vitalrecords/index.htm>.

Proof of Eligibility to Marry Outside of the U.S.

For persons asking about proof of eligibility to marry outside of the U.S., two methods are used to provide the requested documentation.

Statement of Proof of Eligibility to Marry

A person who intends to marry outside the U.S. may ask for proof of eligibility to marry from a county clerk. Since Wisconsin law does not allow the use of Wisconsin's marriage license outside of Wisconsin, the county clerk may provide the "Statement of Proof of Eligibility to Marry," which would provide documentary proof that if the couple were requesting a license in that county, they would be eligible to marry.

FAQ: PROOF OF ELIGIBILITY TO MARRY

When is the "Statement of Proof of Eligibility to Marry" form used? What is the difference between the Letter of Non-Marriage and the Statement of Eligibility to Marry form?

When a couple is planning to marry out of the United States, there is usually a need for documentation showing their eligibility to marry. Some countries require a license to marry from their state of residence. However, Wisconsin law does not allow that. Instead, in lieu of a license, the county clerk may provide the "Statement of Proof of Eligibility to Marry," which provides documentary proof that if the couple were requesting a license in that Wisconsin county, they would be eligible to marry.

Other countries may require a Letter of Non-Marriage, which is prepared by SVRO. The Letter of Non-Marriage Application can be found on the Vital Records website:
<https://www.dhs.wisconsin.gov/vitalrecords/index.htm>.

Domestic Partnership

FAQ: DOMESTIC PARTNERSHIP

1. If I am in a domestic partnership, and enter into a marriage with my current domestic partner, does the domestic partnership automatically dissolve?

Per Wis. Stat. § 770.12(4)(b), if a party to a domestic partnership enters into a marriage that is recognized as valid in this state, the domestic partnership is automatically terminated on the date of the marriage.

2. Will domestic partnerships continue? Can an opposite-sex couple enter into a domestic partnership?

The last working day domestic partnership declarations were accepted at County Clerk offices was March 30, 2018. Per Wis. Stat. § 770.05(5), the individuals of a domestic partnership are members of the same sex.

Contact Information

State Vital Records Office

Mailing Address: State Vital Records Office
P.O. Box 309
Madison WI 53701-0309

Phone Number: 608-266-1373
Fax Number: 608-261-4972
Email: dhsvitalrecords@wi.gov

Website: <https://www.dhs.wisconsin.gov/vitalrecords/index.htm>

Wisconsin Register of Deeds

The Wisconsin Register of Deeds Association website provides vital records contact information for each Register of Deeds Office. Website: <http://www.wrdaonline.org/>

U.S. Vital Records

- The Centers for Disease Control and Prevention (CDC) provides a website that lists all of the state vital records offices along with general information about the cost of copies of vital records and where and how to apply for those copies. Website: <http://www.cdc.gov/nchs/w2w.htm>
- The CDC site also provides links to each state's vital records website. Applicants who need vital records from other states and are able to use the Internet should be encouraged to visit the appropriate state vital records website for the most up-to-date fees and procedures for applying for certified copies.

Vital Records Outside of the U.S.

- To assist a person who requires a copy of a non-U.S. vital record, a listing of foreign consulates can be found at the U.S. Department of State's website.
Website: <http://www.state.gov/s/cpr/rls/fco/>
- **BIRTH:** Persons born abroad to U.S. citizens may have a foreign birth certificate and a State Department document. Copies of the State Department document can be purchased from the U.S. Department of State. Instructions for applying for the birth document are available from the Department of State website.
Website: http://travel.state.gov/passport/get/first/first_825.html
- **DEATH:** Relatives of an American citizen who died abroad may receive copies of the death certificate from the country of death, from a branch of military service (for service-related deaths), or in the form of a consular report of death from the U.S. Department of State.
Military reports of death are sometimes filed at the Register of Deeds Office with the decedent's discharge papers.
Website: <http://travel.state.gov/content/passports/english/abroad/events-and-records/death/CRDA.html>
- **MARRIAGE:** Persons who married outside the U.S. may be able to have their marriage document authenticated by the State Department. Instructions on this process are available at the State Department's website.
Website: <http://travel.state.gov/content/passports/english/abroad/events-and-records/marriage.html>
- **DIVORCE/ANNULMENT:** Persons who obtained a divorce or annulment outside of the U.S. may be able to have that legal document authenticated through the U.S. Department of State. Instructions on this process are available at the State Department's website.
Website: <http://travel.state.gov/content/passports/english/abroad/events-and-records/divorce/divorce-legal-issues.html>