

# MARRIAGE LICENSE APPLICATION INFORMATION

**Where To Apply:** Applicants who are State of Wisconsin residents, are required to apply for a marriage license in the county one of the parties has resided in for at least 30 days prior to making application. The license can then be used in any county in the State of Wisconsin. In the case that both parties are nonresidents of the State of Wisconsin, application is required to be made in the county where the ceremony takes place.

**Where To Apply In Sauk County:** Both parties are required appear in person at the office of the Sauk County Clerk, West Square Building, 505 Broadway, Room #144, Baraboo, Wisconsin, from 8:00 a.m. to 4:00 p.m., Monday through Friday,(closed Saturdays, Sundays, and legal holidays). Allow a half hour of time to complete the application.

**Age:** At age 18 an individual may marry without consent. An individual may marry at age 16 and 17 with written consent of the person's parents, guardian, custodian, or a parent who has legal custody. Marriages contracted without this consent are not recognized by the State of Wisconsin. Marriages contracted out-of-State by persons not of age in the State of Wisconsin are not recognized by the State of Wisconsin.

**Relationship:** A marriage cannot be contracted while either of the parties has a husband or wife living, nor between persons who are closer in relationship than second cousins, except that a marriage may be contracted between first cousins if the female has attained the age of 55 years, or if 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. Relationship under this section shall be computed by the rule of the civil law, whether the parties to the marriage are of the half or of the whole blood. A marriage may not be contracted if either party has such want of understanding as renders him or her incapable of assenting to marriage.

**Divorced Persons:** A person who is divorced, whether divorced in the State of Wisconsin or elsewhere, cannot marry again until six months have elapsed from the final judgment date. A 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. Marriages contracted out of the State by persons not legally divorced in the State of Wisconsin are not recognized by the State of Wisconsin.

**Fee due at time of application:** \$75.00, payable by check or cash

**Waiting Period:** Application for a marriage license shall be made at least five (5) business days before a license shall be issued, unless a waiver of this waiting period has been granted.

**Special Dispensation:** A waiver of the five (5) day waiting period may be granted by order of the County Clerk for any of the reasons outlined in Chapter 765 of the Wisconsin Statutes. An extra fee of \$10.00, payable by check or cash, is charged for a waiver of the five (5) day waiting period.

## **Identification Of Parties:**

- Each party is required to present proof of where they live in the form of a driver's license, state issued identification card, mail, rent or mortgage receipt, checking account, or savings account.
- Wisconsin State Statutes require all parties to present a **state certified copy of a birth certificate**. Hospital and baptism certificates cannot be accepted as proof of birth.
- A copy of a prior divorce proceeding, death certificate, or state annulment papers affecting the marital status is required.

## **Vital Records Information**

- Birth or Death records in Wisconsin, contact the Register of Deeds office in the county where birth or death occurred; or State of Wisconsin Vital Records: [www.dhfs.wisconsin.gov/vitalrecords](http://www.dhfs.wisconsin.gov/vitalrecords)
- Divorce Judgment records in Wisconsin, contact the Clerk of Courts in the county where the event occurred; or State of Wisconsin Department of Vital Records: [www.dhfs.wisconsin.gov/vitalrecords](http://www.dhfs.wisconsin.gov/vitalrecords)
- Birth, Death and Divorce Judgment records in another State: [www.cdc.gov/nchs](http://www.cdc.gov/nchs)
- If an applicant has a social security number assigned, they are required to present their social security number at the time of application.

**Expiration:** A marriage license is required to be used within 30 days from the issue date.

## **Ceremony - Required Information:**

- Date and place of the ceremony, (township, village, or city; and county).
- Name, address & phone # of the officiant performing the ceremony.
  - ❖ If you would like a Judge or Court Commissioner to perform your ceremony, (Judges perform marriage ceremonies in their courtroom Monday through Friday from 8:00 am-4:15 pm; Court Commissioners perform ceremonies at a park, your home, etc.), call the office the County Clerk at 608.355.3286 between 8:00 am and 4:30 pm, M-F.

## **Officiants as defined by Wisconsin State Statutes ss. 765.16 and 765.17: 765.16:**

- Any ordained clergyman of any religious denomination or society who continues to be such ordained clergyman.
- Any licentiate of a denominational body or an appointee or any bishop serving as the regular clergyman of any church or denomination to which he/she belongs, if he/she is not restrained from so doing by the discipline of his/her church or denomination.
- The two parties themselves, by such mutual declarations, in accordance with the customs, rules and regulations of any religious society, denomination, or sect to which either party may belong.
- Any judge of a court of record or a reserve judge appointed under s. 753.075..
- Any family court commissioner appointed under S.267.13, or court commissioner appointed under S.757.68.
- Any municipal court judge.
- **765.17:** Any clergyman, licentiate or appointee named in s. 765.16 who is not a resident of this state may solemnize marriages in this state if he or she possesses at the time of the marriage a letter of sponsorship from a clergyman of the same religious denomination or society who has a church in this state under his or her ministry.

✓ **NOTE:** Other than the lower confidential portion, your marriage license application is a public record.