**MARRIAGES**

**General**

* Both parties must be present when filling out the marriage intentions at the Town Clerk's Office.
* Come prepared - make sure you know correct spelling of parents names in full including their middle names.
* Intentions may be filed in any Clerk's Office in Massachusetts for weddings occurring anywhere within Massachusetts.
* Permanent Record of Marriage is maintained by community where intentions were filed and Vital Records in Boston
* Licenses are not filed in the community where marriage occurs unless intentions were filed there.
* Cost to file Intentions - $20.00
* Certified Married License copies after marriage are $10.00 each

**Surname**

Applicants must provide the chosen surname to be used after marriage. Either party may continue to use his or her current surname, take the surname of the other party, hyphenate a combination of surnames, or use any other surname of their choice as long as there is no intent to defraud.

**Prerequisite for Applicants Intending to Marry in Massachusetts**

Before an Intention is signed under oath it is important that certain criteria are met.

Criteria Includes:

* Meet the waiting period of divorce
* Meeting the Legal Impediments to Marriage
* Proof of where parties reside
* Requirements to appear, to swear and sign to under oath

**Waiting Period**

The mandatory waiting period between the date Intentions are filed and the date the license can be issued is three (3) days.

**Exception:** Court Waiver - Parties after filing Intentions may petition a judge of a probate or district court for a waiver to the three-day waiting period. Upon such order, the license may be issued without delay. Certified copy of Court Order must be provided to receive License.

**Medical Certificates**

Medical Certificate are no longer required in Massachusetts

**Divorce**

By statute neither party may marry if either party is currently married to someone else.

If divorced you must provide proof that divorce is final - show copy of divorce nisi - party is still married for 90 days after divorce nisi. Cannot file intentions until divorce is final.

If divorced within last two years you must bring in your divorce decree.

**Legal Impediments**

Must be 18 years of age and not blood related. Statutes also require that proof of age is presented.

Each party must indicate any relationship to the other party by consanguinity (blood or genetic relationship) or affinity (relationship through marriage of their relatives). Certain relationships are prohibited by Massachusetts statute and other may be prohibited by statutes where the party resides or intends to continue to reside.

**Residence & Intent to Continue to Reside**

Before issuing a license to marry a person who resides and intends to continue to reside in another state, the officer having authority to issue the license shall be satisfied, by requiring affidavits or otherwise, that such person is not prohibited from intermarrying by the laws of the jurisdiction where he or she resides.

**Oath**

After reading the Impediments to Marriage both parties will take and oath that no Impediments to Marriage exist and then sign under the penalties of perjury indicating an understanding of the Impediments of Marriage.

Question contact Joe Judd at 413-625-0300 ext. 3 or townclerk@townofshelburne.com