



Wedding License Information

Preparing to Apply

- Confirm that you and your partner are eligible to marry one another. You can visit the Montana government website for their laws regarding eligible marriages.
 - *Age* - You must be at least 16 years old to get married in Montana. Three additional requirements apply if you are under the age of 18: 1) A parent or legal guardian must sign the marriage application; 2) you must show proof of two pre-marriage counseling sessions, ten days apart, with a court approved counselor; 3) A district court judge must approve and sign the marriage application. If you are under the age of 18, please contact the Clerk of District Court in your county for more information.^[1]
 - *Sex* - As of November 19, 2014, same-sex couples can legally marry in Montana. Montana also recognizes same-sex marriages from other states and countries. The application procedures for marriage in Montana are the same as those for heterosexual couples.^[2]

- Complete the necessary waiver OR blood test. Women under the age of 50 seeking a marriage license are required to obtain a blood test for Rubella immunity prior to getting a marriage license. This information must be submitted on the [State of Montana Premarital Certificate](#) and must be signed by a physician.^[3]
 - Alternately, the applicants can read and sign an [Informed Consent/Waiver of Requirement of Blood Test form](#), available from the Clerk of District Court or the Montana Department of Public Health & Human Services website. If the bride is over the age of 50, no waiver is required.^[4]

- Gather appropriate identification and documentation. You will need the following to fill out and submit the marriage license application:^[5]
 - Valid picture identification (driver's license, passport)
 - Birth information for each partner (city, county, state or foreign country)
 - Social security number for each spouse
 - Fathers' first, middle, and last name, current residence, and birth state
 - Mothers' first, middle, and maiden name, current residence, and birth state

- Any information regarding previous marriages including full name of ex-spouse, date of divorce or death, county, and state of dissolution or death of spouse
- Fill out the application. The [Montana Marriage Application](#) can be filled out online and printed or it can be printed and filled out by hand.
 - The application is fairly self-explanatory, but if you have questions about a specific field [consult the detailed instructions](#).
 - Make sure not to sign 36a and 36b until the application has been submitted in person.

Applying for your License

- Go to the Clerk of District Court in your or another county. You can obtain a marriage license in Montana at the Clerk's office in any county. If both partners are residents of Montana, you can apply in any county and get married in any county. If both partners live out of state, you need to apply in the county where you want to marry.^[6]
 - Generally, the Clerks' offices are open and licenses available from 8:00a.m. until 4p.m., but hours can vary so make sure to check with your local Clerk.^[7]
 - Both parties must appear in person to apply for a marriage license. You cannot mail in the Montana Marriage Application.
 - If you live out of state and cannot be present at the Clerk's office to apply for the marriage license, you can fill out the Montana Marriage Application before a Clerk of District Court or a Notary Public in the county and state in which you reside. The Clerk of District Court or Notary Public that you appear before must swear you in to tell the truth. You will then send the application to the Clerk's office of your choice, as well as supporting documents (the Informed Consent/Waiver of Requirement of Blood Test form). Attach a statement of how you would like the Clerk to proceed when license is complete. The Clerk's office can either mail the license to you if you provide a self-addressed, stamped envelope or give it to someone you designate to pick it up for you. You will also need to pay the \$53 fee for the license by cash or money order.^[8] (Some counties like Missoula County will take a credit or debit card)
 - Make sure to bring the appropriate documentation you prepared above.
- Submit the application you have filled out. Sign 36a and 36b as instructed and get the clerk to fill out sections 37-39 as required.^[9]
 - Read the application carefully to make sure you have not made any errors. It can be difficult to correct these errors after the license has been formally filed.
- Pay the appropriate fee. A marriage license costs \$53 and most counties accept cash only. Check beforehand if your county will accept credit cards. Note that there may be an additional fee accompanying usage of a credit card.
- Receive your license. The license can be used immediately or within 180 days from the date of issuance.^[10]
 - After the 180 day period, the license expires and you will have to reapply.

- Get married! A marriage in Montana marriage can be solemnized, or performed, by a number of individuals:^[11]
 - Clergy (out-of-state clergy need not be registered in Montana)
 - Judge (or retired judge) of a court of record
 - Public official whose powers include solemnization of marriages
 - Mayor, City Judge, Justice of the Peace
 - Tribal Judge

- **QUESTION! How do I sign my name on the Marriage License after the ceremony?**

You can sign either your maiden name or your new married name. If you will NOT be changing your name you will want to make sure you sign your maiden name. If you ARE changing your name, you can sign either your maiden name or new married name. Either way will not hinder or help in the name change process.

- Receive a copy of your license after the marriage is confirmed. After the marriage ceremony, the person who officiated the ceremony must return the license to the Clerk's office within 30 days for completion. After the license is returned back to the couple, it can be used as proof of name change with Social Security and in changing the name on a driver's license. ^[12]

How to Change your name after Marriage

- **Get a marriage certificate.**

Apply for marriage license and complete the ceremony within thirty days. Apply with the your county clerk of court. The officiator of your wedding will send the signed license in to be recorded within ninety days, after which you will receive a marriage certificate. ^[13]

- **Change your name with the Social Security Administration.**

Complete the SS-5 form. Gather certified copies of marriage or divorce or annulment certificate. Bring the completed SS-5 form and certified copies of marriage or divorce certificates along with a Montana driver's license, state ID, or passport to the SSA office. You will also need a U.S. birth certificate, U.S. citizenship certificate, or work authorization letter and I-94. ^[3]

 - You can also apply by mail by mailing your documents to your local SSA office along with the SS-5 form; your documents will be mailed back to you. ^[14]
 - You will receive your documents and new social security card with your new name by mail.

- **Change your name on your driver's license or state ID.**

Appear in person at a Montana MVD office. You will have to surrender your current driver's license or state ID and present legal proof of your name change, such as a court order, marriage certificate, or divorce decree. After getting a new picture taken and signing for your new license, you will pay a \$10 replacement fee. ^[14]

Sources:

1. Minister with Universal Life Church and American Marriage Ministries.
2. Per Ravalli County and Missoula County Clerk's Office
3. ↑ http://www.co.yellowstone.mt.gov/clerk_court/marriage.asp
4. ↑ <http://aclumontana.org/montana-marriage-licenses/>
5. ↑ <http://www.co.missoula.mt.us/coc/marriage.htm>
6. ↑ http://www.gallatin.mt.gov/Public_Documents/gallatincomt_distclerk/marriagelic
7. ↑ <http://aclumontana.org/montana-marriage-licenses/>
8. http://www.gallatin.mt.gov/Public_Documents/gallatincomt_distclerk/marriagelic
7. ↑ http://www.gallatin.mt.gov/Public_Documents/gallatincomt_distclerk/marriageappinstr
8. ↑ http://www.usmarriagelaws.com/search/united_states/montana/
9. ↑ <http://www.dmv.org/mt-montana/changing-your-name.php>