

HOW TO OBTAIN A MARRIAGE LICENSE IN ANDOVER, MASSACHUSETTS

How do we apply for a marriage license?

You must both apply in person for a marriage license. This requirement is applicable to both residents and non-residents of the Commonwealth. According to Massachusetts law, you must jointly file intentions to marry, and you may do so with the city or town clerk in any community in the state. If a person is in the military, intentions may be filed by either party, providing one is a Massachusetts resident. If a person is incarcerated in a county house of correction or a state correctional facility, intentions may be filed by either party. A marriage license, once obtained, is valid for 60 days from the date intentions are filed and may be used in any Massachusetts city or town. It is not valid outside of the state. *In Andover, the Town Clerk's Office is located in the Town Offices at 36 Bartlet Street. Hours: 8:30 am - 4:30 pm, Monday - Friday.*

Is there a waiting period from the date of application to the date the license is issued?

Yes, there is a mandatory three-day waiting period. While Sundays and holidays are included in the three days, the day the application is made is not. For example, if you apply on Friday, your license will be issued on or after Monday. Certificates must be picked up in the Town Clerk's Office by one of the parties (or someone on their behalf) before the ceremony.

May we marry before the three days for good reason?

Yes, if you can obtain a court waiver after filing intentions. According to MGL Ch. 207:30, if both parties are residents, or non-residents, or one of each, and they need to dispense with the three days, they may do so by applying to the judge of a probate or district court to have the license issued without delay, after filing intentions with the clerk. Under extraordinary or emergency circumstances, such as if the death of either party is imminent or a female is nearing the end of her pregnancy, an authorized request by a minister or clergyperson or an attending physician shall suffice and the clerk can issue the certificate without delay.

How do we obtain a waiver?

You should file your intentions first with the Town Clerk. Then an application for a waiver must be filed by both of you at a probate or district court. After a hearing, the court may issue a certificate allowing the marriage license to be issued, and the marriage performed without delay.

What is the cost of a marriage license?

The fee for filing a marriage intention in Andover is \$25.

What is the cost of a certified copy of the Marriage License?

After the Clerk's Office receives the license, it is given a date of record. Then a certified copy may be issued. In Andover, the fee for a certified copy is \$10.

At what age may one marry?

A Massachusetts resident may marry if one is 18 years of age or older. A birth certificate may be required to show proof of age.

What if one or both of us is under 18?

If either party is under 18, a court order from a probate or district court where the minor resides must be obtained before the marriage intentions can be filed.

Is a medical certificate required before a license can be issued?

No.

What if one or both of us has been divorced?

You are not required to present a divorce certificate when filing intentions to marry. However, it is extremely important that an individual who has been divorced be certain that his/her divorce is absolute. If you are uncertain as to the absolute date of your divorce, you should contact the court where the divorce was granted. In Massachusetts, a divorce does not become absolute until 90 days after the divorce nisi has been granted, regardless of the grounds for divorce.

Is there any special requirement for a widow or widower who is remarrying?

No.

Do we need any witnesses present at the ceremony?

Massachusetts statute does not require that witnesses be present at your ceremony. However, if a member of the clergy performs the ceremony, you should ensure that you are in conformity with the appropriate religious tenets.

What are the responsibilities of the member of the clergy or justice of the peace?

The member of the clergy or justice of the peace must complete and sign the original license and return it to the Town Clerk's Office.

What should be done if an out-of-state member of the clergy is to perform the marriage?

If an out-of-state member of the clergy is to perform the marriage, the clergyperson must obtain a Certificate of Authorization from the Massachusetts Secretary of the Commonwealth prior to the ceremony. This certificate, which is issued by the Public Records Division of the Secretary of the Commonwealth, is to be attached to the original license and returned to the Town Clerk's Office with the completed certificate. For further information, contact: Division of Public Records Secretary of the Commonwealth, One Ashburton Place, Room 1719, Boston, MA 02108 (617) 727-2832. You may also visit the Secretary's web page at www.mass.gov.

Is it possible for a layperson to solemnize a wedding?

Yes, it is possible for a non-minister or non-justice of the peace (such as a relative or family friend) to obtain special permission (One-Day Marriage Designation or Commission) to perform a marriage from the Office of the Governor. Call the Governor's office at (617) 725-405 or visit the Office of the Governor's page at www.mass.gov.

Are there special requirements if one applicant is an immigrant?

If either of the parties has arrived as an immigrant from a foreign country within five days, the application may be filed at any time before the marriage, and the certificate shall be issued at any time after the filing.

Where can we go for additional assistance or information?

You may contact the Town Clerk's Office, 36 Bartlet Street, Andover, MA 01810, 978-623-8255 or www.andoverma.gov or: Registry of Vital Records and Statistics Department of Public Health, 150 Mt. Vernon Street, Dorchester, MA 02125-3105, (617) 740-2600 or visit the Registry's page at www.mass.gov.