

### **Information on Marriage**

Marriage is a solemn and exalted state, sanctified by the church, respected by society, and licensed by the State. Marriage is basically a contract between two parties; the prospective husband and the prospective wife, however, there is a third party to all contracts of marriage--the State. For it is the State that by law provides conditions to and limitations of the marriage contract.

The Probate Court is the sole agency, under the laws of the State of Ohio, that is vested with the authority to issue marriage licenses.

### **What is the Fee?**

The fee for obtaining a marriage license is **\$50.00, payable in cash** at the time of the application. Of this fee, \$17.00 is forwarded to a fund established by the State of Ohio to provide financial assistance to shelters for victims of domestic-violence.

### **What Information is Required for Marriage?**

Each of the applicants must supply to the court their respective address, name, age, place of birth, occupation, father's name, mother's maiden name,

### **Information for Parties Who Have Been Previously Married**

If either party has been previously married, the application shall include the names of the parties to any such marriage and of any minor children. If the prior marriage was terminated by divorce, a certified copy of the divorce decree must be submitted to the Probate Court at the time of application. If the prior marriage ended due to the other spouse's death, then a certified copy of the death certificate must be submitted to the Probate Court at the time of the application.

### **Under What Influences or Diseases Will Marriage be Denied?**

No marriage license shall be granted when either of the applicants is under the influence of intoxicating liquor or controlled substance or is infected with syphilis in a form that is communicable or likely to become so.

### **Information on the Blood Test**

Blood tests are no longer required

### **What are the Residence Qualifications?**

One or both of the applicants must be a resident of Mercer County for a marriage license to be issued. If BOTH

applicants are not residents of Ohio, they may apply for a marriage license in Mercer County, provided the marriage ceremony is performed in Mercer County.

### **Information on Change of Name**

Traditionally, the bride takes the last name of her husband, although it is not necessary or mandatory that she do so. However, if she does, it is the newlywed's responsibility to see that the appropriate agencies are notified. This includes among others, businesses and stores with whom she has credit accounts, banks where she has checking and savings accounts, the Social Security Administration, Board of Elections and the Bureau of Motor Vehicles to see that her driver's license is changed.

### **Information on Marriages Involving Minors**

Ohio law requires all applicants under eighteen years of age to have a letter from their minister or a marriage counselor stating that they have received pre-marital counseling. All applicants under eighteen years of age must also have the consent of both parents, or surviving parent, or the parent who has custody or the legal guardian of his or her person or any person having custody under Ohio Revised Code Section 3101.01. Applicants under the minimum age must first obtain approval of the Juvenile Court.

### **Who May Perform the Marriage Ceremony?**

An ordained or licensed minister of any religious society or congregation within this state licensed to perform marriages, a judge of a county court in his county, an authorized judge of a municipal court, the mayor of a municipal corporation in any county in which such municipal corporation wholly or partly lies, the superintendent of the state school for the deaf, or any religious society, in conformity with the rules and regulations of its church.

#### **ABOUT THIS PAMPHLET**

This publication is designed as a service to the public to provide an understanding of the duties and procedures of the Probate Court in Ohio in reference to marriage license. This pamphlet should not be considered as a legal reference

### **What are the Time Limitations?**

You may obtain the marriage license at the time of the filing of a completed application. There is no longer a five

day waiting period in Ohio. A marriage license is valid for sixty (60) days from the date of issue.

### **What If I Need Certified Copies of My Marriage License?**

If you need a certified copy of your marriage license, the cost is Fifteen (\$15.00) Dollars. You may obtain a copy in person or by mail. If you request a copy by mail please send a stamped self-address envelope, a check or money order (no cash please) for Fifteen (\$15.00) Dollars payable to "The Mercer County Probate Court" and the names of the applicants and the date of marriage. The Court's address is: Mercer County Probate Court, 101 North Main Street, Room 307, Celina, OH 45822.



#### **Dear Mercer County Residents:**

My policy is to fulfill the Probate Court duties efficiently and effectively. If you have questions or desire for more information on Probate Court matters, please feel free to contact my office. I sincerely hope you experience with my Court will be pleasant

**Matthew L. Gilmore, Judge**