

GENERAL INFORMATION

When a marriage ceremony is performed in Maine, there are certain procedures that must be followed. Data, Research, and Vital Statistics (DRVS) or the municipal clerk who issued the license will have already made sure that the parties to be married are free to marry and have complied with the laws of Maine. However, there are several duties for which the person performing the marriage (officiant) is directly responsible:

1. The parties to be married must present a valid State of Maine marriage license to the marriage officiant. (See section on who can perform a marriage in Maine.)
2. The marriage license is only valid for a ceremony taking place in the State of Maine and must not be used outside the State, nor does a marriage license issued by another State or Country authorize marriage in Maine.
3. Marriage by proxy or online are not permitted in the State of Maine.
4. The officiant must review the license to ensure that both the issuing official and the parties have signed and that the license has not expired. *Typically, the license is signed by the parties in front of a municipal clerk when the license is issued, but if the license is unsigned, it may be signed by the parties in front of the officiant.*
5. Once the marriage ceremony has been performed, the officiant must have two witnesses who were physically present for the ceremony sign the license.
6. The officiant must complete the ceremony section of the marriage license and file the completed license with the official who issued it within 7 days after the marriage ceremony was performed.

All parties to a marriage should be aware of the laws about marriages in Maine and their own responsibilities.

WHERE CAN I GET A MARRIAGE LICENSE?

A Maine marriage license is valid for 90 days from the date the intentions are filed. The residence of the parties to be married determines where the marriage intentions must be filed, and the marriage license is issued. Please see the examples below.

- a) If both the parties reside in the State of Maine, in the same municipality, then the marriage intentions must be filed in the municipality in which they reside so a marriage license can be issued. They are free to marry anywhere within the State of Maine.
- b) If both the parties reside in the State of Maine, but in separate municipalities, they may file their marriage intentions at either of the municipalities (they do not have to file in both) so a marriage license can be issued. They are free to marry anywhere within the State of Maine.
- c) If one of the parties resides in the State of Maine, and the other party is a non-resident of Maine, then they must file their marriage intentions in the municipality where the Maine resident lives so a marriage license can be issued. They are free to marry anywhere within the State of Maine.
- d) If *both* parties reside outside of the State of Maine, they may file their marriage intentions at any municipal office so a marriage license can be issued. (DRVS recommends filing in the municipality where the marriage ceremony is to be performed.) They are free to marry anywhere within the State of Maine.
- e) In the event a municipal office is closed, marriage intentions may be filed at DRVS. Please call the office to make an appointment at (207) 287-3771.

Some municipalities may require appointments to be made for the issuance of a marriage license. Please call or visit the municipalities' website for more information and their hours of operation.

RESPONSIBILITY OF THE PARTIES

- The parties to be married are responsible for filing marriage intentions and obtaining a marriage license to provide to the marriage officiant before the marriage ceremony is performed. (See section on who can perform a marriage in Maine.)
- Parties must provide the issuing official with acceptable identification before a marriage license is issued. The name and sex/gender indicated on the identification provided must match the information provided on the marriage intentions.
- Parties who have been previously married must prove they are free to marry in the State of Maine by presenting the issuing official with a certified copy of a death or divorce certificate, depending on how the previous marriage ended.
- Parties under the age of 17 are not permitted to be married in the State of Maine. Parties who are 17 and plan to get married in the State of Maine must obtain the written consent of their parents or legal guardians.
- If a party intends to change their name after marriage, their new proposed name must be provided on the marriage intentions and license.
- Once the officiant receives the marriage license from the parties, the marriage license is then the responsibility of the officiant.

WHO CAN PERFORM A MARRIAGE IN THE STATE OF MAINE?

The following persons are authorized to solemnize marriages in Maine:

- If the officiant is a resident of this state:
 1. Justice or judge.
 2. A lawyer admitted to the Maine Bar; or
 3. A marriage officiant licensed under Title 5, section 90-G.
- Whether the officiant is a resident or nonresident of this State and whether a citizen of the United States:
 1. An ordained minister of the gospel. (Ordinations obtained online are acceptable.)
 2. A cleric engaged in the service of the religious body to which the cleric belongs; or
 3. A person licensed to preach by an association of ministers, religious seminary or ecclesiastical body.
- A nonresident of Maine who has a temporary registration certificate issued by the Maine CDC vital records office.

PERFORMING THE CEREMONY

Both of the parties, the officiant, and two witnesses must be physically present during the ceremony. The officiant **cannot** be a witness.

The ceremony must include a formal declaration of intent to be married, typically with the couple stating, "I do", and the officiant must pronounce the couple married after the exchange of vows. Parties or the officiant may plan the ceremony to reflect their own tastes and traditions.

AFTER THE CEREMONY

After the ceremony, the officiant must complete the ceremony section of the marriage license using **BLACK INK**. Please print or type all information clearly except for the signature areas. Necessary signatures include those of the parties, the officiant, and the two witnesses.

The officiant must return the marriage license to the issuing office within seven days after the marriage ceremony was performed. The completed license may be mailed or delivered personally by the officiant. Under no circumstances should this duty be assigned to the parties who were married or any member of the wedding party.

NOTE: Do not add or correct any information already on the license. All corrections must be made by a municipal clerk or DRVS.

QUESTIONS?

If any questions arise that are not covered in this pamphlet, please feel free to contact this office at:

Maine Center for Disease Control and Prevention
Vital Records Office
220 Capitol Street
11 State House Station
Augusta, Maine 04333-0011
(207) 287-3771



The Departments Non-Discrimination Notice may be found at <https://www.maine.gov/dhhs/about/non-discrimination-notice>.

A GUIDE FOR PARTIES AND OFFICIANTS

PERFORMING A MARRIAGE CEREMONY



Maine Center for Disease Control and Prevention
(Maine CDC)
Data, Research, and Vital Statistics (DRVS)
220 Capitol Street
11 State House Station
Augusta, Maine 04333-0011
(207) 287-3771 Fax: (207) 287-1093
TTY Users: Dial 711 (Maine Relay)