



# Jefferson County District Court

## Marriage License

Marriage licenses are obtained from the Clerk of District Court's Office located in the Jefferson County Courthouse at 201 West Centennial Avenue, 2<sup>nd</sup> Floor, Boulder, Montana. We are available Monday-Friday from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. We ask that you arrive no later than 11:00 a.m. and no later than 4:00 p.m. Appointments are not necessary. The license will be issued the same day and must be obtained prior to the marriage ceremony.

The license can be used immediately or within 180 days from the date of issuance. It is valid in any county within Montana, but not in any other state or country.

After the marriage ceremony, the license must be returned to the Clerk's office within 30 days for completion. Once the marriage license is returned a certified copy will be provided to the couple. The certified copy can be used as proof of name change with Social Security and in changing the name on a driver's license.

### **What to Bring to Obtain a Marriage License** (see below for additional requirements if under 18)

- Montana law requires both parties to appear before the Clerk of District Court for the issuance of a marriage license and each must show a valid driver's license issued by any state. A valid passport, birth certificate, or state issued identification card can be used in place of a driver's license.
- If either party was previously married, the full name of the ex-spouse, the exact date of the divorce or death, and the state and county where the divorce or death occurred must be written on the application. The dissolution decree or death certificate is not required as proof.
- Both parties will need to know the birthplace (state) of both parents, the mother's maiden last names, and the address (city and state) of both parents.
- Parties will need to know their birthplace (city, county, and state)

**Cost:** The fee for a marriage license is \$53.00 and must be paid in cash. Checks and electronic payment are not accepted.

### **A Montana marriage can be solemnized by:**

- Clergy (out-of-state clergy need not be registered in Montana)
- Judge (or retired Judge) of a court of record (Please Note: The Jefferson County Justice of the Peace does not officiate marriages.)
- Public official whose powers include solemnization of marriages
- Mayor
- A Notary Public

**\*The officiant does not need to provide their credentials to our office.**

After the marriage ceremony the license must be returned to the Clerk's office within 30 days for completion.

[Download](#) Montana's marriage application.

(The form can be filled out on-line and printed or it can be filled out by hand.)

## **Marriage Licenses for Those Aged 16-18**

A person must be at least 16 to marry in Montana. Follow the above requirements with the following additions:

- Obtain parental permission (they will sign the application form from the Clerk's office, not the online form)
- Show proof of couple attending two counseling sessions prior to filling out application
- Obtain judicial approval
- Contact the Clerk's office to obtain proper paperwork and more specific instructions

## **Obtaining a Copy of Your Marriage License**

Copies are available at the Clerk of District Court's Office located in the Jefferson County Courthouse at 201 West Centennial Avenue, 2<sup>nd</sup> Floor, Boulder, Montana. You may come to our office or send a written request to: Clerk of District Court, P.O. Box H, Boulder, MT 59632

We need the following information:

- Full names, including maiden name(s)
- Date of marriage
- Specify whether you are requesting a regular or certified copy
- If sending a written request include a self-addressed stamped envelope
- Appropriate fee – can be paid by cash, check or money order made payable to the Clerk of District Court

Cost:

Regular copy: \$5.00 each

Certified copy: \$7.00 each

## **Common Law Marriage/Declaration of Marriage**

If you feel you are in a Common Law Marriage, read the information on the Law Library of Montana website.

Per the last paragraph of the information, you may choose to make a Declaration of Marriage without Solemnization according to MCA-40-1-311 and file it at the District Court Clerk's Office.

The fee for a Declaration of Marriage is \$53.00 and must be paid in cash. Checks and electronic payment are not accepted. The Montana Marriage Application will need to be filled out and the parties must provide a Declaration that complies with the requirements of MCA 40-1-311.

The parties and their two witnesses must sign the Declaration in front of the Clerk or a deputy. Both parties must be present, and each must show a valid driver's license issued by any state. A valid passport, birth certificate, or state issued identification card can be used in place of a driver's license.