



Fulton Circuit and Superior Courts

Teri Furnivall, Clerk

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INFORMATION FOR PERSONS PERFORMING MARRIAGE CERMONIES

General Instruction:

- ✓ Print legibly in black ink.
- ✓ Review the document to ensure all signatures are complete
- ✓ Mail the Marriage License to: Fulton County Clerk's Office, 815 Main St., Rochester, IN 46975
- ✓ Give the Keepsake Marriage License to the couple.

IC 31-11-4-10 Expiration of license: Sec.10.

A marriage license expires sixty (60) days after the license is issued unless a marriage is solemnized under the license within that time.

IC 31-11-4-16 Completion, disposition, filing, and recording of marriage certificates and marriage licenses: Sec. 16

(a) The individual who solemnizes a marriage shall do the following:

- (1) Complete the original and duplicate certificates described in section 15 of this chapter.
- (2) Give the original certificate to the individuals who married each other.
- (3) Not later than thirty (30) days after the date of the marriage, file the duplicate certificate and the license to marry with the clerk of the circuit court who issued the marriage license.

(b) The clerk of the circuit court shall record the duplicate certificate and license to marry as prescribed by the state department of health under section 15 of this chapter.

(c) If a duplicate certificate and marriage license are filed with a clerk of the circuit court who did not issue the marriage license, the clerk shall return the certificate and license to the clerk of the circuit court who issued the license.

IC 31-11-4-17 Failure to file marriage certificates and marriage licenses; declaratory order upon proof of marriage; legal effect; recording requirements: Sec. 17.

(a) If the individual who solemnizes a marriage fails to:

- (1) appropriately complete the certificate of marriage; or
- (2) timely file the duplicate marriage certificate and marriage license with the clerk of the circuit court; as required by section 16 of this chapter, either party to the marriage may file for a declaratory judgment in the circuit court with Jurisdiction in the county in which the marriage occurred. (b) Upon proof by oral testimony or affidavits, the court may issue a declaratory order that:

- (1) the marriage of the individuals listed was solemnized before the date the original marriage license expired;
- (2) any error by the party who solemnized the marriage does not affect the validity of the marriage; and
- (3) the clerk of the circuit court shall:

(A) accept the order for filing; and

(B) issue a duplicate marriage license with the date the marriage occurred to the party who sought

declaratory relief.

(c) A court order issued under this section has the same legal effect as a properly attested and filed marriage certificate.

(d) The clerk of the circuit court shall record the duplicate license and court order and forward a copy of the marriage records to the state department of health on at least a monthly basis.

IC 31-11-11-8 Failure to timely file marriage license and duplicate marriage certificate: Sec. 8.

A person who:

- (1) solemnizes a marriage; and
- (2) fails to file the marriage license and a duplicate marriage certificate with the clerk of the circuit court not later than ninety (90) days after the date the marriage was solemnized; commits a Class C infraction.2

IC 31-11-6 Authority to Solemnize Marriages Chapter 6

Persons authorized to solemnize marriages

Sec. 1. Marriages may be solemnized by any of the following:

- (1) A member of the clergy of a religious organization (even if the cleric does not perform religious functions for an individual congregation), such as a minister of the gospel, a priest, a bishop, an archbishop, or a rabbi.
- (2) A judge.
- (3) A mayor, within the mayor's county.
- (4) A clerk or a clerk-treasurer of a city or town, within a county in which the city or town is located.
- (5) A clerk of the circuit court.
- (6) The Friends Church, in accordance with the rules of the Friends Church.
- (7) The German Baptists, in accordance with the rules of their society.
- (8) The Bahai faith, in accordance with the rules of the Bahai faith.
- (9) The Church of Jesus Christ of Latter Day Saints, in accordance with the rules of the Church of Jesus Christ of Latter Day Saints.
- (10) An imam of a masjid (mosque), in accordance with the rules of the religion of Islam.