

Marriage License

Clerks are encouraged to speak with the county attorney about specific situations.

Information in this presentation is based on statutes, Office of Court Services, Department of Health and Department of Correction responses.



Annual Marriage Licenses Returned:

2026 – 23,734 *

2025 – 43,152

2024 – 42,930

2023 – 40,437

2022 – 41,741

INcite > Documents > Marriage License

Forms



Marriage License Application State Form 53394

Application form prescribed under IC 31-11-4-4. Latest revision October, 2021. After completed and signed, this is a permanent record in the Clerk's office.



Information Review

This form has all the information collected from the applicants. Because it includes SSN, it should NOT be retained in the Clerk's office.



Marriage License

This is the Marriage License form the Officiant completes and returns after the ceremony. It is used to record the marriage and is a permanent record in the Clerk's office.



Social Security Card Application

This form is used to change the name to be shown on applicant's Social Security Card.



"Before You Marry" brochure

This IDOH brochure contains information concerning communicable diseases, which clerks must distribute to marriage license applicants per IC 31-11-4-5.



Application to Search IDOH Records

Fillable PDF form to request a search of IDOH marriage records. This can be used when a county is unable to find a record. Note: there is an \$8.00 charge for each search, which includes a certified copy of the Record of Marriage, if one is found.

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Certified Refusal Form

For Clerk use to certify a refusal to issue a marriage license per IC 31-11-4-12



Power / Internet Outage Instructions

Instructions to print and keep on hand along with Application, Information Review and Marriage License forms in case of power or Internet outages.



Marriage License Amendment Form

Form available for applicants to request amendments to their Marriage License Record.



Indiana Department of Health Record of Marriage

Use this form to send marriage records that were not created and recorded in INcite to the Indiana Department of Health (IDOH).
Example: marriage records from 1958 forward to start of INcite participation by your county.



Keepsake Copy Template

Complete names of applicants and use as a document if application Keepsake Copy is unavailable.

Marriage License Amendment Form:

- Opens as a fillable .pdf or can be printed for completion
- Can be used to make data entry errors such as:

INFORMATION TO BE UPDATED										
Applicant 1:	☐	Name	☐	Address	☐	Birthdate	☐	SSN	☐	Other
Applicant 2:	☐	Name	☐	Address	☐	Birthdate	☐	SSN	☐	Other

- If available, both parties should sign
- The amendment form should be kept with the original license records
- It can also be uploaded to INcite if desired ( [Record Marriage](#))

NOTE: Scanning to INcite does not remove requirement to maintain marriage license records **

Can information on an issued license be corrected or is a new license required?

If the license is not expired, you can correct the information and provide an updated license.

Use the same process to make a correction as the amendment form.

Once finished, you can provide the corrected license.

There is no way to void a license.

Name Change After Marriage:

- IOCT maintains these records for the Department of Health. Their guidance is that because licenses are permanent records, it is not recommended the record be amended unless the information was incorrect when it was created and an amendment form is completed.
 - For example, if the name was ABC when the license was issued, changed to XYZ by court order, that does not change the legal name of the applicant at the time the license was issued. A court order for name change is proof of legal changes; it can be used to trace the party name together with the license.

NOTE: The exception to this would be if the court order specifically directs the marriage license record be amended; the clerk would need to determine the steps to comply. If a change is made to the license record, the documentation should be retained with the original application/license.

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Help & Support



SS Card Application and Instructions

This document provides detailed instructions for completing and submitting the application to change the name shown on a Social Security Card. (Also includes the form itself.)



Online Marriage License Application Process

This document lists the steps for processing an application that was initiated online by the couple.



SSN is required—Counter sign

This document can displayed at the counter to show IC 31-11-4-4(d), which is the statute requiring each applicant's Social Security Number. This was effective July 1, 2002.



Apostille

Basic information about Apostilles, instructions for submitting requests, and links to more detailed information on the Secretary of State website.



Marriage License Update

This document illustrates changes to the INcite Marriage License program.



Supreme Court Case

Supreme Court Case related to marriages that take place outside of Indiana.

INcite > Documents > Marriage License



Sex Offender Status Added March 2020

Additional question added regarding applicant status of lifetime violent or sex offender status.



Same-Sex Marriages

On June 26, 2015, the U.S. Supreme Court struck down all state bans on same-sex marriage, legalized it in all fifty states, and required states to honor out-of-state same-sex marriage licenses in the case Obergefell v. Hodges.



Statutes Regarding Underage Marriage Applicants

IC 31-11-1-5 and IC 31-11-1-7 pertain to marriage applicants who are younger than age 18. The petition for emancipation to marry is an MI case type, and regular civil filing fees are assessed.



Declaratory Judgment

IC 31-11-4-17 Statute governing process to obtain a court order re: validity of marriage.

Is the Clerk Required to Verify the Provided Address?

Some Clerk offices have local policies regarding address verification to ensure applicants apply in the correct county and assessed the correct fee.

IC 31-11-4-3 County of residence or solemnization; place to obtain license

Sec. 3. Individuals who intend to marry must obtain a marriage license from the clerk of the circuit court of the county of residence of either of the individuals. If neither of the individuals who intends to marry is a resident of Indiana, the individuals must obtain the marriage license from the clerk of the circuit court of the county in which the marriage is to be solemnized.

Issuing a marriage license when one party is unable to apply in person (hospitalized):

There is no statutory provision in IC 31-11 that power of attorney or guardianship may be used to apply for the marriage license on behalf of another person.

Some counties have made accommodation that the parties complete the biographical information online, then the Clerk sends an authorized staff member to the facility with a paper application to complete and obtain signatures and the marriage license. The information can be added to the INcite record; the completed INcite and signed applications should both be retained.

NOTE: A concern is always that medication an applicant may be consuming would be an issue with the “under the influence” question.

Can a power of attorney be used to stop the issuance of a marriage license?

The authority of the power of attorney depends on the language of the document. The specific conditions when a Clerk may not issue a marriage license are:

IC 31-11-4-11 Conditions precluding issuance of marriage license

Sec. 11. A clerk of a circuit court may not issue a marriage license if either of the individuals who applies for the license:

- (1) has been adjudged to be mentally incompetent unless the clerk finds that the adjudication is no longer in effect;
- (2) is under the influence of an alcoholic beverage or a narcotic drug; or
- (3) is a lifetime sex or violent offender, unless the individual submits an affidavit stating under the penalties of perjury that the individual has provided written notice of the person's:
 - (A) intent to marry; and
 - (B) intended married name;

to the local law enforcement authority in the county of conviction and in the person's county of residence.

Officiants Authorized in IC 31-11-6-1:

1) Can an out-of-state ordained minister perform a ceremony in Indiana?

Yes. There are no restrictions on the geography for the officiant as long as qualified in statute.

2) Does the officiant have to show proof of qualifications?

No. There is no requirement to ‘register’ or provide documentation.

3) Can an applicant also serve as officiant?

Yes. We’ve had this raised recently. The response from IOCS: If the applicant is legally authorized to conduct a wedding, the statutes do not prohibit him/her from officiating his/her own wedding ceremony.

Marriage License Information for Public Search:

- Marriage License Public Lookup from public.courts.IN.gov
 - <https://publicaccess.courts.in.gov>
- Department of Health – Vital Records / Marriages
 - <https://www.in.gov/health/vital-records/marriages>
- Indiana State Library > Online Resources > Indiana marriages (date ranges)
 - <https://www.in.gov/library>
 - <https://digital.statelib.lib.in.us/legacy/search.aspx?index=2>

Marriage Licenses Are a Public Record:

public.courts.IN.gov

Children, families & housing

- Apply for a marriage license
- Search marriage licenses

Applicant 1 Name:
Last Name First Name

Applicant 2 Name:
Last Name First Name

Narrow your search (Optional):

Marriage Year (Range): to
EX. 1995 EX. 2001

County Issued:
Adams

Applicant 1	Applicant 2	Marriage Date	Issuing County	
HOUSTON, DUSTIN C.	MORRISON, LEESA J.	08/29/2013	Tippecanoe	view
LEWIS, STEPHEN	MORRISON, LEEANN	11/07/1992	Marion	view
MORRISON, LEE D.	POHLMAN, EMILY R.	03/16/2013	Tippecanoe	view

Marriage License No. 2013-0000081

Applicant 1
LEE D. MORRISON

Applicant 2
EMILY R. POHLMAN

Marriage Officiant: TREY GARNER

Official Title: PASTOR

Marriage Date: 03/16/2013

Clerk of the Tippecanoe Circuit Court: CHRISTA COFFEY

Department of Correction: Marriage Policy:

Manual of Policy and Administrative Procedure:

<https://www.in.gov/idoc/files/policy-and-procedure/policies/01-03-102-Marriage-12-1-2022.pdf>

- Includes information for coordinating requests and the IDOC review process

	State of Indiana Indiana Department of Correction	Effective Date	Page 1 of	Number
		12/1/2022	7	01-03-102
POLICY AND ADMINISTRATIVE PROCEDURE <u>Manual of Policies and Procedures</u>				
Title MARRIAGE				

“However, the incarcerated individual and the intended spouse shall be advised that the County Clerk may have certain rules regarding both parties being present to obtain the Marriage License that must be followed and that the Department has no authority over either the County Clerk or the Clerk’s rules.”

Record of No Marriage:

The Indiana Department of Health can issue a certified “**Record of No Marriage**” after performing a search, and that tends to meet this requirement. These are the instructions to request a Record of No Marriage:

- Use State Form 54764 to request a search (<https://www.in.gov/health/files/Marriage-Application-10.2018.docx> and the form is also attached).
- Include the full name on the Applicant 1 line.
- On the next line, mark out Applicant 2 and type or write “Record of No Marriage” in that space.
- Use “N/A” for the Date of Marriage, County of Marriage and City of Marriage.
- Complete the remaining fields (signature, mailing address, daytime telephone number and today’s date).
- Mail the completed form and a check or money order for \$8.00 payable to the Indiana Department of Health to this address:
Vital Records
Indiana Department of Health
2 North Meridian Street
Indianapolis, IN 46204

Coming Soon! Affidavit for Lifetime Offender:

Part I:

Before applying for a marriage license, a lifetime sex or violent offender (offender) must first submit written notice to the local law enforcement authority of the offender's intent to marry and the offender's intended married name. Per IC 31-11-4-11(3), a clerk may not issue a marriage license to an offender unless the individual submits an affidavit stating under the penalties of perjury that this written notice has been provided.

INSTRUCTIONS:

1. Print and complete the OFFENDER INFORMATION section below.
2. Sign the document and provide it to the sheriff's department in each county of conviction and your county of residence, if they are not the same county.
3. Once this form is signed by sheriff staff in each county, bring the original copy to the clerk.
4. Once a marriage license is granted, a fully signed copy of this form AND a copy of your marriage license must be provided to the sheriff's department in the county where you reside.
5. If you decide not to marry, you must inform the sheriff's department in your county of residence.

OFFENDER INFORMATION
Registered name of sex or violent offender (<i>First name, Middle name and Last name</i>):
Name of co-applicant/intended spouse (<i>First name, Middle name, and Last name</i>):
Sex or violent offender's intended married name (<i>First name, Middle name, and Last name</i>):

Coming Soon! Affidavit for Lifetime Offender: Part 2:

By signing below, you indicate that:		
• You intend to be married. • You certify that all the information provided above is true and correct to the best of your knowledge, and that you will notify the local law enforcement authority of any changes or corrections to this information.		
Signature of applicant		Date (month, day, year)
FOR LAW ENFORCEMENT USE ONLY (COUNTY OF CONVICTION)		
☐ Acknowledged	Signature of law enforcement authority (please sign legibly)	Date (month, day, year)
FOR LAW ENFORCEMENT USE ONLY (COUNTY OF RESIDENCE)		
☐ Acknowledged	Signature of law enforcement authority (please sign legibly)	Date (month, day, year)
FOR CIRCUIT COURT CLERK USE ONLY		
Marriage License Number	Circuit Court Clerk Signature	Date (month, day, year)

Thank you!



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