

HOW TO GET A MACOMB COUNTY MARRIAGE LICENSE

(Review the seven pages provided to you, including these instructions.)

1. **COMPLETE THE AFFIDAVIT FOR LICENSE TO MARRY FORM.**
Please use black ink and print clearly. You may get this form via:
 - a. Fax-on-demand 1-888-99-CLERK (1-888-992-5375), document #3120.
 - b. Internet, <http://www.macombcountymi.gov/clerksoffice/pdf/marriage.pdf>.
 - c. Request a form be mailed to you by calling 586-469-5205.
 - d. Pick up a form in person at the clerk's office. See office hours below.
2. **CHECK THE BOX INDICATING YOU RECEIVED EDUCATIONAL MATERIALS ABOUT SEXUALLY TRANSMITTED DISEASES, HIV/AIDS AND PRENATAL CARE ENCLOSED WITH THIS INFORMATION.**
3. **THE MACOMB COUNTY RESIDENT(S) MUST TAKE THE OATH AT THE BOTTOM OF THE FORM AND SIGN IT BEFORE A NOTARY PUBLIC.** The Macomb County resident(s) may do this in person at the Macomb County Clerk's office. (Office hours below.) If the notarization is taking place outside of Michigan, you must obtain a notary certification from the notary and fax or mail that along with the rest of the marriage packet. IF YOU LIVE IN ONE OF THE FOLLOWING STATES, you DO NOT need to send in a notary certification: AL, AZ, AR, CA, CO, FL, GA, IL, IN, IA, KN, LA, ME, MD, MN, MS, NJ, NY, OH, OK, OR, PA, RI, SD, TN, TX, VT, WV, WI.
4. **COMPLETE THE MARRIAGE LICENSE APPLICATION COVER FORM.** Review Marriage License Requirements section. Also indicate how you will pay the application fee. ******IF THE MARRIAGE APPLICATION IS ILLEGIBLE, HAS INSUFFICIENT INFORMATION OR CONTAINS ERRORS, WE WILL REJECT YOUR APPLICATION AND YOU MUST APPLY IN PERSON.******
5. **RETURN BOTH FORMS TO THE MACOMB COUNTY CLERK.** You may not apply for a marriage unless the ceremony will occur within 33 days. Include the Affidavit for License to Marry Form and the Marriage License Application Cover Form. If applying by fax, include the Credit Card Payment Information Form.
 - a. You may FAX it to 877-443-9505. **If you fax your Affidavit for License to Marry, you must call the Clerk's Office at (586) 469-5205 within the hour to confirm it was received.**
 - b. You may MAIL it to:
Macomb County Clerk
40 North Main
Mount Clemens, MI 48043-5656
If you mail your Affidavit for License to Marry, you must call the Clerk's Office at (586) 469-5205 in 72 hours of the mailing to confirm it was received.
 - c. If you choose to submit the application IN PERSON the Macomb County resident must appear with valid ID (i.e. driver's license) to the Macomb County Clerk's Office. (Office hours below.)
6. After the statutory three-day waiting period, your marriage license will be mailed to you. **IF YOUR MARRIAGE CEREMONY WILL OCCUR LESS THAN TEN DAYS FROM YOUR APPLICATION DATE,** then you will be required to pick up your marriage license in person at the Macomb County Clerk's office. See office hours below.
7. **CAREFULLY REVIEW THE MARRIAGE LICENSE UPON RECEIPT.** If a correction is needed due to a typing error made by the clerk's office, there is no charge to make the correction. If a correction is needed because the Affidavit for License to Marry form was incorrectly filled out, there is a \$5.00 charge that may be paid via cash, check or credit card. (To change a license after the marriage ceremony, you would have to open a circuit court case, pay a \$150 filing fee and have a judge sign an order to correct the marriage license.)
8. After the marriage ceremony, the officiate (pastor, priest, minister, rabbi, etc.) will sign the marriage license and return it for filing at the Macomb County Clerk's office.

If you have any questions or need assistance with this process, please call **586-469-5205**.

County Clerk Office Hours: MON. & FRI. 8am - 4:15pm. TUE. & THURS. 8am - 1:30pm.

WED. evenings open until 7pm.

SUMMARIES OF CERTAIN MICHIGAN MARRIAGE LAWS

R.S. 1846, Chap. 83 (Amended by Act No. 44, P.A. 1956, Act No. 324, P.A. 1996)

SECTION 1. Section 2 of chapter 83 of the Revised Statutes of 1846, being section 551.2 of the Compiled Laws of 1948, is hereby amended to read as follows:

SEC. 2. Marriage, so far as its validity in law is concerned, is a civil contract, to which the consent of parties capable in law of contracting, is essential. Consent alone will not be enough to effectuate a legal marriage from and after January 1, 1957. Consent must be followed by the issuance of a license as provided for by section 1 of Act No. 128 of the Public Acts of 1887, as amended, being section 551.101 of the Compiled Laws of 1948, or as provided for by section 1 of Act No. 180 of the Public Acts of 1897 as amended, being section 551.201 of the Compiled Laws of 1948, and solemnization, as authorized by sections 7 to 18, inclusive, of this act,

SEC. 3. No man shall marry his mother, grandmother, daughter, granddaughter, stepmother, grandfather's wife, son's wife, grandson's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, nor his sister, brother's daughter, sister's daughter, father's sister, mother's sister, or cousin of the first degree, or another man.

SEC. 4. No woman shall marry her father, grandfather, son, grandson, stepfather, grandmother's husband, daughter's husband, granddaughter's husband, husband's father, husband's grandfather, husband's son, husband's grandson, nor her brother, brother's son, sister's son, father's brother, mother's brother, or cousin of the first degree, or another woman.

SEC 5. No marriage shall be contracted whilst either of the parties has a former wife or husband living, unless the marriage with such former wife or husband shall have been dissolved.

SEC 6. No insane person, idiot, or person who has been afflicted with syphilis or gonorrhea and has not been cured of the same, shall be capable of contracting marriage. *(This section further restricts the list of those who may intermarry by prohibiting the marriage of feeble-minded, imbeciles or insane persons who have been confined as such in any public institution, without a certificate from two physicians that there is no probability of transmitting their defects to their offspring.)*

ACT NO. 128, P.A. 1887 (Amended by Act No. 37, P.A. 1951, Act No. 31, P.A. 1953, Act No. 112, P.A. 1963, Act No. 23, 1967, Act No. 304, P.A. 1968, Act No. 104, P.A. 1975, Act No. 65, P.A. 1981 and Act No. 270, P.A. 1989)

Marriage: minimum age; proof; license; application, consent for underage applicant.

SEC. 3. (1) Every person who becomes 18 years of age shall be capable by law for contracting marriage. Every person who becomes 16 years of age but is less than 18 years of age shall be capable of contracting marriage with the written consent of 1 of the parents of the person or the person's legal guardian, as provided in this section. As proof of age, the party to the intended marriage, in addition to the statement of age in the application, when requested by the county clerk, shall submit a birth certificate or other proof of age ... when it appears from the affidavit that either the applicant is applying for a license for the marriage to a person who has not become 18 years of age, the county clerk shall require that there first be produced the written consent of 1 of the parents of each of the persons who is less than 18 years of age or of the person's legal guardian to the marriage and to the issuing of the license for which application is made. The consent shall be given personally in the presence of the county clerk or be acknowledged before a notary public or other officer authorized to administer oaths unless the person does not have a living parent or guardian. A license shall not be issued by the county clerk until the requirements of this section are complied with ...

SEC. 3a. (1) A license to marry shall not be delivered within a period of 3 days including the date of application. However, the county clerk of each county, for good and sufficient cause shown, may deliver the license immediately following the application. A marriage license issued shall be void, unless a marriage is solemnized thereunder, within 33 days after the application.

ACT NO. 491, P.A. 1988 (Amended by Act 209, P.A. of 2000)

SEC. 5119. (1) An individual applying for a marriage license shall be advised through the distribution of written educational materials by the county clerk regarding prenatal care and the transmission and prevention of venereal disease and HIV infection. The written educational materials shall describe the availability to the applicant of tests for both venereal disease and HIV infection. The information shall include a list of locations where HIV counseling and testing services funded by the department are available. The written educational materials shall be approved or prepared by the department.

(2) A county clerk shall not issue a marriage license to an applicant who fails to sign and file with the county clerk an application for a marriage license that includes a statement with a check-off box indicating that the applicant has received the educational materials regarding the transmission and prevention of both venereal disease and HIV infection and has been advised of testing for both venereal disease and HIV infection, pursuant to subsection (1).

(3) If either applicant for a marriage license undergoes a test for HIV or an antibody to HIV, and if the test results indicate that an applicant is HIV infected, the physician or designee of the physician, the physician's assistant, the certified nurse midwife, or the certified nurse practitioner or the local health officer or designee of the local health officer administering the test immediately shall inform both applicants of the test results, and shall counsel both applicants regarding the modes of HIV transmission, the potential for HIV transmission to a fetus, and the protective measures.

THIS PAGE NEED NOT BE RETURNED TO THE COUNTY CLERK.

MACOMB COUNTY MARRIAGE LICENSE APPLICATION COVER FORM
FAX OR MAIL THIS FORM TO MACOMB COUNTY CLERK
WITH YOUR AFFIDAVIT FOR LICENSE TO MARRY FORM
FAX TO 877-443-9505

TO: Macomb County Clerk/Register of Deeds Carmella Sabaugh
40 North Main, First Floor, Mount Clemens, MI 48043
Phone 586-469-5205 • Fax 877-443-9505
Mon, Fri 8am-4:15pm. Tues, Thurs 8am - 1:30pm. Wed until 7pm.

FROM: Name: _____
(Print clearly) Address: _____ City: _____ Zip: _____
Day Phone: _____ Cell Phone: _____
Fax Number: _____ E-mail: _____

The following statements are true:

Signature: _____

RE: Marriage License – Affidavit for License to Marry (attached)

DATE: _____

PAGES: _____ (Include Affidavit for License to Marry and Credit Card Form)

******IF THE MARRIAGE APPLICATION IS ILLEGIBLE, HAS INSUFFICIENT INFORMATION OR CONTAINS ERRORS, WE WILL REJECT YOUR APPLICATION AND YOU MUST APPLY IN PERSON.******

1. Marriage License Requirements (read and mark as acknowledgement)

- Your marriage ceremony will occur within 33 days.
- At least one person is a Macomb County resident (or both are out of state residents).
- Both applicants are at least 18 years old.
- Applicants are not of the same sex and are not related.
- By law, your license will not be issued for three days, which means your ceremony cannot occur within three days.

2. Residency (check one)

- At least one person is a Macomb County resident
- Both applicants are out of state residents (proof of residency on valid driver's license is required) and marriage ceremony must take place in Macomb County.

3. Marriage License Application Fee (check applicable fee)

- \$20 if at least one applicant is a Macomb County resident.
- \$30 if applicants live out of state and ceremony will be in Macomb County

4. How do you want to get your marriage license? (check requested delivery option)

- FREE – U.S. Mail, first-class. License will be sent to address above.
- FREE – Pick up at Macomb County Clerk's Office after 3 days.
- ADD \$24 – Overnight delivery after 3 days.

5. Payment Information (check payment method)

- Credit card information page attached (FAX OR MAIL)
- Check or money order payable to Macomb County Clerk enclosed (MAIL ONLY)

NOTE: When applying in person – any type of payment is accepted

This pamphlet contains important information for couples considering marriage. In order to get a marriage license in Michigan, you must first receive written educational materials about sexually transmitted diseases (STDs), HIV/AIDS and prenatal care. Acting on this information may protect your health and the health of your spouse and children. Because you care about each other, both of you may choose to discuss these issues.

What are Sexually Transmitted Diseases (STDs)?

STDs are infections you get through having sex. They can infect many parts of your body, including your sex organs. STDs also are called VD (venereal disease) and other slang words. Some of the many STDs are gonorrhea, syphilis, hepatitis, Chlamydia, herpes, genital warts, and HIV, the virus which causes AIDS.

What are some common signs and symptoms of STDs?

Some of the most common signs of STDs for women are:

- Discharge from the vagina, often smelly
- Burning or pain when urinating
- Urinating more often
- Pain or cramps in the tummy area
- Bleeding between periods or after sex
- Heavier and more painful periods
- Sores on vagina, anus or in mouth
- Warts in or around vagina and anus

Some of the most common signs of STDs for men are:

- Drip from the penis or stained underwear
- Burning or pain when urinating
- Urinating more often
- Pain or swelling in testes
- Warts on penis or anus

Women and men may experience:

- Warts in throat
- Rectal pain
- Blood or pus in the stool

Why do I need to know about HIV/AIDS?

HIV and AIDS are diseases that can affect your life and the life of your partner and your unborn children. HIV is one of the infections that can be spread between sex partners, through sharing needs, or from infected mothers to their children during pregnancy and birth.

How do I know if I have HIV?

Getting an HIV test is the only way to find out if you have it. Many people believe you can have HIV infection for many years before it will show up on a test. This is not true. If a person becomes infected with HIV, it will usually show up on the test within six months. The average length of time for HIV to show up on a test is 25 days from the time of infection.

How do you get HIV?

People get infected with HIV and pass the virus to others in three main ways: through sex, through blood-to-blood contact, and through birth from an infected mother to her child.

How do you get HIV from sex?

You can get HIV infection by having sexual intercourse with an infected person whether you are male or female, and whether your sexual partners are male or female. This happens because HIV is in the semen or vaginal fluids of infected people and can enter the body through anal, vaginal, or oral intercourse. If you have another untreated STD, you could be at more risk for getting HIV if you are exposed to it. This is because your body's defenses may be weakened by the other infection.

How do you get HIV from blood?

People with HIV have the virus in their blood. When sharing infections needles, infected blood can be trapped in the needle or syringe and then injected directly into the bloodstream of the next person who uses the needle. People can become infected by sharing needles and can give the virus to their sex partners and their unborn children, if the woman becomes infected. The risk of getting HIV from a

blood transfusion is very low. All donated blood is now tested for HIV.

How do babies get HIV from birth?

Babies can be born with HIV if the mother is infected. An infected woman can give HIV to her baby before it is born, during birth or through breast-feeding. The chance is 25 percent to 30 percent that an infected pregnant woman will have an infected baby. Early treatment can make this risk much lower. Getting counseled and tested is the first step for an infected woman to increase the chance that her baby will be born without HIV infection. In Michigan, all pregnant women must be tested for HIV, hepatitis and other STDs by their health care providers. You may refuse testing. Other STDs, like hepatitis, also can be passed from an infected mother to an unborn child.

Can you get HIV from everyday contact?

No. You won't get HIV through casual contact with people around you. You won't get HIV by:

- kissing without the exchange of oral fluids
- shaking hands
- hugging
- swimming in a pool or by using a hot tub
- using a public restroom
- eating in a restaurant

You won't get HIV by giving blood.

How do HIV and STDs affect married people?

Married couples who are both uninfected, who have sex only with each other and who don't shoot drugs are not likely to get HIV or STDs. Remember, many people who have HIV or STDs don't know that they are infected. You and your partner need to talk honestly about each other's sexual histories, STDs and the risks for HIV infection.

Getting tested for HIV and other STDs is an important step when beginning a married life together.

This is Page 1 of 2 of the "Educational materials regarding prenatal care and the transmission and prevention of venereal disease and HIV information..." referred to on the Affidavit for License to Marry form.

THIS DOCUMENT IS FOR YOUR RECORDS – THIS PAGE NEED NOT BE RETURNED TO THE COUNTY CLERK.

How can STDs and HIV be prevented?

The best way to prevent STDs, including HIV, is to have sex with only one uninfected person who has sex with only you, and to not inject drugs. Condoms have been shown to be very good protection against the sexual spread of HIV and STDs. When using a condom, remember these guidelines:

1. Use condoms made of latex rubber, not lambskin. If you cannot use latex rubbers or if you have latex allergy, polyurethane condoms are now available. Female condoms are other options.
2. Condom use is safest with a water-based lubricant. Do not use petroleum-based jelly, cold cream, baby oil, butter, margarine or cooking shortenings. These can weaken the latex rubber condom and cause it to break. Oil-based lubricants may be used only with polyurethane condoms.
3. Don't use illegal drugs, especially injected drugs.

Many drug users are addicted and need to enter a drug treatment program as quickly as possible. The use of drugs, including alcohol and some illegally used prescription drugs, can cause people to make decisions that could put them at risk for HIV and STD infections.

Is testing required to get a marriage license?

No tests are required for the marriage license. You may want to consider testing if you had any STD or shared needles, or if you have had sex without using a condom. You may wish to consider testing if you have had sex with anyone who has done any of these things. If you do wish to be tested before getting married, be sure to ask your doctor or health care provider to explain your options, your rights and your responsibilities.

What are my STD testing options to get tested for STDs, you can go to your own doctor, to the special STD clinic at your local health department, or other community clinic. If you have an STD, you will be treated so you do not get sicker and so you don't infect your partner. Your partner will have the opportunity to

be tested and treated, too. Everything about your case will be kept private.

How do people get and spread STDs?

STDs are most often spread through sexual activity and sexual intercourse. Some also can be passed from pregnant women to their babies. Some people can get them by sharing needles used to inject drugs, steroids, vitamins, or other substances, or for tattoos or for ear piercing. HIV and hepatitis are STDs that can infect people who share needles for injecting, tattooing, and ear piercing.

Often, people can have an STD and not know it. Many times, their bodies do not show systems or signs. Even if signs appear, they may go away on their own, but the infection is still there until it is treated and it can be passed on to other people. Untreated STDs can make people very sick and unable to have children. This is true for both men and women.

How are STDs treated?

Some STDs, such as gonorrhea and syphilis, can be cured with medicine. Others such as HIV and hepatitis are difficult to treat. STDs don't just go away and they will damage your body.

If you think you might have an STD, you need to get checked by a doctor or clinic. You can go to your own doctor, to the special STD or HIV clinic at your local health department, or other community clinic. No matter where you go for help, Michigan law requires that your case be kept private.

What is AIDS?

AIDS stands for Acquired Immune Deficiency Syndrome. It is a disease caused by a virus called Human Immunodeficiency Virus (HIV) that can destroy the body's ability to fight off illness. A person can have HIV infection for many years before becoming sick or developing AIDS. If a person has HIV and is not sick, the infection can still be passed to others.

What are my HIV testing options?

To get tested for HIV infection, you can choose anonymous or confidential testing. Anonymous means you can get tested using a special number instead of your name. Confidential means that you give your name but your case is kept private. The law protects your privacy.

You can go to your own doctor, to the health department or other community clinic. If you go to your own doctor, you must use your name but your case will be kept private. To be tested without using your name, you have to visit a health department or other community clinic. Before you can be tested for HIV infection, you have to sign a consent form that says you talked to a professional about your risk and that you understand what an HIV test result means. If you are infected, you will be given information and referrals to help you get medical help. The health department will help you tell no your sexual or needle-sharing partner about their exposure to HIV.

If you know you have HIV infection, it is a felony under Michigan law to have sex with a person without telling him or her about your infection before you have sex.

For more information about HIV/AIDS or HIV testing, STDs and prenatal care, call your local health department or community clinic. For more information on HIV/AIDS, call the toll-free Michigan AIDS hotline at (800) 872-AIDS (2437). Provided by the Michigan Department of Community Health (03/04)

Designated HIV Counseling/Testing Agencies

Macomb County Health Department
43525 Elizabeth Road
Mount Clemens, MI 48043
(586) 469-5325 OR
29600 Civic Center Boulevard
Warren, MI 48093
(586) 573-2210

Planned Parenthood of Southeast Michigan
25932 Dequindre
Warren, MI 48091
(586) 758-2100

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