



## Marriage Information

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### What is a marriage license?

A couple must first apply for and receive a marriage license before getting married. A marriage license means you are legally allowed to become married to each other. Once the ceremony is performed and license filed, it becomes a marriage certificate which is proof you are married under the law.

## Where do I apply for a marriage license?

In California, you must apply for a marriage license at a County Clerk's office. You can apply even if your current residence is in a different county, state, or country.

The license must be used in California, and it must be registered in the county where it was issued.

### Tuolumne County Clerk

2 South Green St.  
Sonora, CA 95370  
(209) 533-5573

## What do I need to bring to apply?

**Photo identification**

Any form of identification which shows your current legal name, date of birth, and photo (If you do not have photo ID, please contact our office for options).

**Payment**

Cash or Check Only (Credit or Debit Cards will not be accepted). The list of filing fees can be found [here](#).

**Proof of end of marriage** (If ended within the past year)

Filed stamped court documents or death certificate which shows proof that the previous marriage has ended.

**Yourselves!**

Both persons to be married must be present to apply.

## What do I need to know to apply?

**Full name of parents** (Including your mother's maiden name)

**Where you and your parents' were born**

The state, if born in the U.S., or country.

**Your new name after marriage** (Optional)

Either party may change their middle and/or last name. You are NOT permitted to change your first name on a marriage license. For further information on which name choices are allowed, please see the CDPH "The Name Equality Act of 2007" manual [here](#).

**Date your most recent previous marriage ended** (If previously married)

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## Where can I get an application to apply for a marriage license?

Prior to coming into the office, you may complete and print an application for a marriage license online [here](#).

Otherwise, applications are available in our office.

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## How much does a marriage license cost?

The list of filing fees can be found [here](#).

Cash or Check Only (Credit or Debit Cards will not be accepted).

## Can I change my name?

It is optional to change your middle and/or last name when getting married. You are not allowed to change your first name.

Each person to be married may choose any of the following **last names**:

- Current last name of the other spouse
- Last name of either spouse given at birth
- A name combining into a single last name all or a segment of the current last name or the last name of either spouse given at birth
- A combination of last names

Each person to be married may choose any of the following **middle names**:

- Current last name of either spouse
- Last name of either spouse given at birth
- A combination of the current middle name and the current last name of the person or spouse
- A combination of the current middle name and the last name given at birth of the person or spouse



For further information, see the “The Name Equality Act of 2007” [here](#).

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## What is the difference between a public, confidential, and non-clergy license?

### Public License

This is the most common marriage license. This license requires at least one, but no more than two persons to witness, and one officiant to perform, the ceremony. It is filed with the County Recorder.

### Confidential License

This marriage license is less common. It can only be issued to individuals at least 18 years old and already living together as spouses. It requires one officiant to perform the ceremony, but no witnesses are needed. It is filed with the County Clerk and a certified copy can only be issued to the couple or those with a court order.

### Non-Clergy License

This marriage license is rare. This license is issued to persons who, due to religious beliefs, are entering into a marriage without the participation of an officiant to perform the ceremony. It requires two persons to witness the ceremony. It is filed with the County Recorder.

## Who can marry us?

A marriage ceremony can be performed by a person, known as an officiant, over the age of 18 and is either:

- A deputy county clerk in our office. Please call (209) 533-5573 for further information.
- Authorized by any religious denomination to solemnize marriages
- An authorized judges or justices
- An authorized civil servant
- A person who has been appointed as a deputy commissioner of civil marriages for the day  
Find additional information [here](#).
- An official of a nonprofit religious institution licensed by the county



Instructions on performing a marriage ceremony can be found [here](#).

## Where can we get married?

With a public and/or confidential marriage license, a marriage ceremony can be held anywhere in California. But it must be registered in the county where it was issued.

Marriage ceremonies can be performed by a deputy county clerk in our office. Please call (209) 533-5573 for further information.

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### What if our religion does not have anyone to marry us?

A non-clergy marriage license may be issued to persons who, due to religious beliefs, are entering into a marriage without the participation of another person to perform the ceremony.

It requires two persons to witness the ceremony and is filed with the County Recorder.

### Do I need a witness?

Depending on what type of marriage license you are issued, you may need one or two witnesses for the marriage ceremony.

A **public** marriage license requires at least one, but no more than two persons to witness the marriage ceremony.

A **confidential** marriage license does not require a witness to the ceremony.

A **non-clergy** marriage license requires two persons to witness the ceremony.

### Who can be a witness to our marriage ceremony?

There is no age restriction to serve as a witness to the marriage ceremony.

It is recommended however, that witnesses be old enough to understand they are witnessing a marriage, and be able to sign their names as witnesses on the marriage license.

If requested, County staff can serve as witnesses in a marriage ceremony performed in the office. Please call (209) 533-5573 for further information.

### What if our marriage license is lost, damaged, or destroyed?

If before the marriage ceremony takes place, a marriage license is lost, damaged, or destroyed, you must purchase a new marriage license. The old license will be voided.

If after the marriage ceremony takes place, a marriage license is lost, damaged, or destroyed or deemed unacceptable for registration by the county recorder (or County Clerk if it is a confidential license), the person who performed the marriage ceremony must be issued a duplicate marriage license.

This must be done as soon as possible. Please call (209) 533-5573 for further information.

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## What if we're already married, but don't have any record of the ceremony?

If there is no official record of your marriage ceremony, you must use either a License and Certificate of Declaration of Marriage, or a Court Order Delayed Certificate of Marriage.

Below are the criteria for each method:

	License and Certificate of Declaration of Marriage	Court Order Delayed Certificate of Marriage
<b>Date of Marriage</b>	More than one year has passed since the date of marriage	Less than one year has passed since the date of marriage
<b>Marriage License</b>	A valid marriage licensed was applied for and received	The couple have an expired or never had a valid marriage license
<b>Witnesses</b>	The 2 witnesses who were present at the ceremony can be provided	Two witnesses who were present at the ceremony cannot be provided
<b>Parties Available</b>	Both spouses are available	Possible when only one spouse is available
<b>Residence of Parties</b>	At least one spouse must reside in our county	Our county must be the location of the marriage ceremony or where the parties reside
<b>Current Marriage Status</b>	The couple must currently be married to each other	The couple must currently be married to each other
<b>Type of Record</b>	Must be a public record	Can be public or confidential
<b>Where to File</b>	Obtained and filed at the County Clerk's office	A petition must be filed with the courts*

\*Our office is unable to assist in the filing of the Court Ordered Delayed Certificate of Marriage or give legal advice. Further information can be found on the California Department of Public Health (CDPH) website [here](#).

## What if the other person can't appear in person?

In specific situations, if either or both persons are physically unable to appear in person before the county clerk to apply for a marriage license, a marriage license may be issued.

Situations a person is unable to appear may include:

- Hospitalization
- Incarceration
- Stationed in the military overseas in a conflict of war

However, also depending on the situation, both parties may still be required to declare in the physical presence of the officiant performing the marriage ceremony and necessary witness(es) that they take each other as spouses.

Please call (209) 533-5573 to discuss if the details of your situation applies and the appropriate procedure.