

# Procedure for Marines/Sailors (U.S. Citizens) Marrying in the U.S.

*Check with your county or municipal court's office to make sure of your state's requirements.*

## **Facts:**

- Age.** In most states, the legal age to marry is 18. In some states, you may be able to get married if you are younger than 18 by providing parental consent. In Mississippi, parental consent is necessary for applicants under the age of 21. In Nebraska, the legal age to marry is 19. Extenuated circumstances: Emancipated minors, family court providing consent, etc.
- Family relationship.** All US states prohibit marriage between ancestors and descendants, such as grandparents and grandchildren, aunts/uncles and nieces/nephews, or parents and children. 20 states currently allow first cousins to get married. 6 additional states will allow first cousins to marry under certain circumstances.
- As of 2015, same-sex marriage is legal in all 50 states and the District of Columbia
- Some states do require a premarital blood test.

## **City Hall Office:**

- Bring the following:
  - Government-issued photo IDs, such as passports or driver's licenses, are generally accepted as proof of identity.
  - Many states require your original birth certificate (or a certified copy) and your Social Security card as proof of your identity.
  - You and your partner must bring physical copies of these proofs with you when you apply for the marriage license.
  - If your original documents are in a foreign language, you must usually provide a certified translation into English, along with the original copy. A certified translation should be signed, dated, and contain a statement that attests to the accuracy of the translation.
  - You cannot get married if you are already married to another person. Some states require proof that your prior marriage has been terminated by death, divorce, or annulment. In some states, however, you may certify that you are free to marry by signing a document or providing a notarized statement.
  - If either you or your partner were previously married, you will likely need to provide information about those marriages on your application. For example, in the state of New York, you must be able to provide information regarding whether your former spouse is still living, and whether the marriage ended by divorce, annulment or death.
  - Bring copies of your divorce decree (sometimes known as a Final Order of Divorce) or other dissolution documents with you when you apply. In some states, such as Pennsylvania, widowed applicants must bring a copy of their deceased spouse's death certificate.

### **Name Change:**

- Neither partner must change his or her surname, and surnames do not automatically change upon marriage.
- The Social Security Administration will accept marriage documents to legally change your name on Social Security records. If you decide to legally change your surname upon marriage, you must notify Social Security.
- Some states have specific restrictions on what surnames may be adopted, and some states have no restrictions at all. Check with your county clerk's office to determine what restrictions (if any) apply in your state.

### **Determine if there is a waiting period.**

- Many states have waiting periods before you can obtain your license, or before you can use that license to get married. In many states, you can receive your marriage license immediately. Some states, however, have a waiting period between one and six days between when you apply for your license and when you receive it. For example, in Pennsylvania, there is a 72-hour waiting period before you receive your license.
- In some states, there is also a waiting period between the time you receive your marriage license and when you can use it to get legally married. For example, New York has a 24-hour waiting period.
- If you do not observe these waiting periods, your marriage may not be legally valid.
- Waivers may be available under certain circumstances. For example, in New York, you may apply for a judicial waiver of the waiting period if your circumstances require you to get married immediately (e.g., your intended is being deployed in the military)
- If you are in a huge hurry, you can look into getting married in a state where there is no waiting period, or get married in Las Vegas. Clark County, Nevada is widely recognized as probably the easiest place to get legally married in the US.

### **Applying for your Marriage License**

- Find the location and address of where you obtain the marriage license.** Marriage license locations vary by county, but are often dispensed by the County Clerk. The County Clerk is almost always located in a government building in the county seat.
- Fill in the online application first (where applicable).** You can apply online in an increasing number of counties. For example, New York City allows you to fill in the application online first. However, you must still bring your documentation to the appropriate office in person to complete your application.
- Apply in person.** In general, both applicants must appear in person to apply for a marriage license. You should bring all of your required documentation to the office. "Proxy" marriage, where only one person must appear, is almost never allowed. In Colorado, you may authorize a third person to act as your proxy if you

cannot be present at the wedding solemnization. Your proxy must provide photo ID and a notarized copy of the Marriage Ceremony Proxy Power of Attorney form.

- Many counties have unique/different requirements. Read carefully on the county website to make sure you have the correct requirements and paperwork.
- **Provide your personal information.** In addition to providing your documentation, you and your partner will have to provide personal information on the application for a license. This information generally includes:
  - •Full legal name and any other names used
  - •Date
  - •Place of birth
  - •Parents' full names and places of birth
  - •Whether either party has been divorced, and the date of divorce if applicable
  - •Who will be performing the marriage ceremony
  - •Social Security Numbers
- **Pay the fee.** The fee to apply for a marriage license varies by state, and in some cases, by county or municipal district. You can expect to pay between \$25 and \$90. Check with your location to determine what the fee is. Some states, such as Oklahoma and Georgia, will reduce the fee for a marriage license if you can provide proof that you have completed pre-marital counseling.
  - Call the records clerk in advance to check whether they will accept your preferred method of payment. Many courts accept only credit cards or money orders, while some only accept cash.
  - In some places, such as D.C., the marriage license application fee will be waived if you already have a domestic partnership certificate.
- **Receive your marriage license.** If you have done the research as recommended you will know whether you can expect to receive your marriage license immediately, or whether you will have a waiting period.

**Marry in the timeframe dictated by your marriage license.**

- Marriage licenses can expire. In Oklahoma, marriage licenses expire in 10 days. However, most marriage licenses are valid for between 30 and 90 days.
- Know the duration period of your marriage license and marry before it expires. If you do not use your marriage license before it expires, you must re-apply for another license (and pay another fee).
- •Some states' marriage licenses have no expiration date. Georgia, Idaho, Mississippi, New Mexico, and South Carolina, along with the District of Columbia, do not have an expiration period for marriage licenses.

**Have an eligible person perform the marriage ceremony.**

- Many states have requirements about who is eligible to perform weddings. Make certain that your officiant is eligible to legally perform weddings in your county and state.
  - For example, in Virginia, your officiant (or “celebrant”) must be authorized by a Virginia Circuit Court prior to performing your wedding ceremony. Online ordinations are not recognized by Virginia courts.

- These requirements may also vary by county or jurisdiction. For example, if you wish to get married in any of the five boroughs of New York City, your officiant must register with the City Clerk's office in Manhattan. This requirement does not apply anywhere else in the state of New York.[31]
- Some states do allow officiants to become ordained online, through organizations such as the Universal Life Church or American Marriage Ministries. Check with your issuing office to make sure this is legal in your state.
- A few states, such as Colorado, allow you to "self-solemnize" your marriage. You may indicate "themselves" on the appropriate line of the marriage certificate form. Check with your court about solemnizing requirements!

### **Using your marriage license**

- Verify the required signatures are on the marriage license after the wedding ceremony. Many states require the spouses, at least one witness, and the eligible officiant to sign the marriage license for it to be valid.
  - Check with your issuing office to determine what signatures must be given.
  - Some states, such as Virginia, do not require witnesses.
- Some states require that witnesses be of a certain age. Other states merely require that the witness be able to attest to the fact that s/he witnessed the marriage take place.

### **Filing your marriage license**

- Arrange for the license to be filed. In most cases, the person who presides over your ceremony -- known as the "officiant," "celebrant," or "solemnizer" -- must sign and return the marriage license to the issuing office.
  - The office will send you a marriage certificate, which is your proof that the marriage took place. Your marriage is deemed legal once the license is received and filed.
- Many states require the marriage license to be filed within a certain number of days (often 14-15 days). If the marriage license is not filed within that period, the marriage may not be considered legally valid unless a new license is issued and filed.

### **Personnel Office:**

- Present Marriage Certificate with translation.
- Bring all the necessary documents to IPAC for your new spouse to acquire military I.D card.

Please call IPAC ID section at 645-4038/5742 for more information

- Present marriage certificate and translation

# Procedural Guide for Marriage, Benefits and Entitlements

- I. Marriage procedures for Your Command
  - A. Navy Personnel need to comply with COMNAVFORJAPANINST 1752.1T
  - B. Plans to marry in the area of the Pacific outside of Japan (such as Thailand, The Philippines, Singapore, China, Australia, etc.), you will be required to complete a different packet in accordance with COMNAVMARIANAS INSTRUCTION 1752.1H
- II. Marriage Paperwork for Japan
  - A. Affidavit of Competency
  - B. Registering Your Marriage
- III. Marriage Outside of Japan
- IV. Benefit and Entitlement Adjustments
  - A. IPAC Audit
  - B. Military ID Cards
  - C. Name Changes
  - D. DEERS/TRICARE
  - E. Changes in Allowances
- V. Living with Your New Spouse in Okinawa
  - A. Tour Conversion
  - B. Command Sponsorship
  - C. Area Clearance
  - D. Housing
- VI. Marriage to Foreign Nationals

## **I. Instructions for Procedures to Marry**

With the cancellation of MCBJ/III MEFO1752.1C, you are no longer required to submit a marriage packet (Authorization to Marry) too your command if:

1. You are a Marine assigned to MCBJ/III MEF and are planning to marry a Japanese foreign national (or other foreign national) in Japan.

**Until the new Premarital Order has been signed, you are required to adhere to the following:**

- 1) Notify your respective command of your intent to marry; and**
- 2) Attend the monthly Premarital Seminar**

**COMNAVFORJAPINST 1752.1T and COMNAVMARIANAS 1700.1 still apply for the following:**

- 1. Navy Personnel (must review and comply with COMNAVFORJAPANINST 1752.1T); Or**
- 2. Plans to marry in the area of the Pacific outside of Japan (such as Philippines, Hong Kong, Macau, China, Singapore, Vietnam, Thailand, Cambodia, Australia, New Zealand, and India), service members must review and comply with COMNAVMARIANAS 1700.1.**

**Once command signs off on marriage paperwork, the next step is to contract marriage.**

## **II. Marriage Paperwork for Japan**

If you plan to marry in Japan, you must register your marriage with a local city hall office. Even if you plan to have a religious ceremony on a military installation, the only way to legalize your marriage is to register it with the government of Japan.

### **A. Affidavit of Competency to Marry**

Japanese law requires all foreigners who marry in Japan to first prepare a sworn Affidavit of Competency to Marry, affirming they are legally free to marry from their own country's embassy or consulate in Japan. If you are a U.S. Citizen Service Member, you may obtain your affidavit free of charge from the nearest legal office. Bring in your approved marriage packet and the legal assistance staff will help you prepare your document. If you are marrying a civilian U.S. citizen or other foreign national who does not have access to base legal facilities, they will need to get their affidavit from their consulate or embassy. Other countries, such as the Philippines, may require addition documentation before issuing the affidavit. Please contact the relevant embassy or consulate to learn more. If you are marrying a Japanese national, they will not need an Affidavit of Competency to marry since they already have a Koseki Tohon or family register on file at their city hall office.

### **B. Registering Your Marriage**

Since you are marrying in a Japanese-speaking country you will need to translate your English documents in Japanese. This includes your Affidavit of Competency to Marry and your birth certificates. If you are using a passport instead of a birth certificate, you do not need to translate it. A Notification of Marriage form (Konin Todoke) has to be completed prior to the marriage being registered. This form is in Japanese and must be completed in Japanese. A translation office or Japanese friend may be able to assist you in completing this form. Two witnesses, 20 years of age or older are required. If they are not Japanese citizen, they must provide proof of citizenship in the form of a birth certificate (with translation) or passport.

Take your translated Affidavits(s) of Competency to Marry to the city office closest to where you reside or work. If you are marrying a Japanese national, you must go to the city hall office where he or she is registered. The city hall officials will register the marriage and issue a Japanese marriage certification. The fee is approximately 350 yen for small marriage certificate and 1,400 yen for the large marriage certificate. This is your official marriage certificate. Have your marriage certificate translated into English and take it to your personnel office. The information will be entered into your service record.

### **III. Marriage Paperwork Outside of Japan**

If you plan to marry in the United States, you will need to abide by the laws governing the state in which you wish to register your marriage. Please conduct your own research online to determine what your state requires for marriage (this may vary depending on the State). If you plan to marry in a foreign country, you will also need to find out what documentation or forms you need. These requirements may vary greatly from country to country, so it is important for you to do thorough research prior to taking leave to get marriage. The U.S. Embassy and U. S. Consulate websites for the country in which you plan to marry are often your best resource.

### **IV. Changes in Benefits**

Depending on where your spouse resides following your marriage, you may be eligible to receive a variety of benefits. These may include housing allowances, family separation pay, COLA, etc. Your new family members will also be entitled to military I.D. cards to provide them access to most military bases, TRICARE Insurance, and other entitlements. For information on changes in benefits following marriage, please contact IPAC at 645- 4038/5742.

#### **A. IPAC Audit**

In order to be eligible for the benefits and entitlements related to marriage, your first step is to visit your IPAC and conduct an audit. During your audit, your new spouse and other dependants will be listed in your Record of Emergency Data (RED) and your benefits and entitlements will change accordingly. You can reach the IPAC Audit Section at 645-6008. Bring your marriage certificate and other relevant documents with you.

#### **B. Military ID Cards**

Your spouse and dependent children are entitled to military ID cards following your marriage. If your new spouse accompanies you to IPAC, following your audit, you may get his or her ID card from the ID Card Section. If your spouse remained behind in the states or their home country, after you finish your audit, your IPAC ID Section will issue you a DD Form 1172 for you to send to your spouse. Your new spouse can take this form to the closest base or detachment (of any branch of service) along with two forms of ID and get their military ID card. Please call the IPAC ID section at 645-4038/5742 for more information. **If you DID NOT change your last name at the time of your marriage, you CAN NOT change your last name (use your spouse's last name) at IPAC for military ID cards purpose.**

#### **C. TRICARE/DEERS**

Following your audit, your new spouse will automatically be enrolled in DEERS and be eligible for TRICARE Standard. Depending on where your spouse lives following your marriage, he or she may be eligible for the TRICARE Prime managed care option. For more information, please contact TRICARE at 643-7539.

**D. Changes in Allowances**

If you marry and you choose not to do a tour conversion, you may be eligible for Basic Allowance for housing (BAH) or Overseas Housing Allowance (OHA) for your spouse. If your spouse lives in the United States, they will automatically be eligible for BAH depending on their zip code. If your spouse lives overseas, they will need to have their house inspected and provide a copy of the lease or rental agreement in order to be eligible for OHA (See current regulations regarding OHA). If you choose to remain in Okinawa, separated from your spouse on an unaccompanied tour, you will also be eligible for the Family Separation Allowance.

**V. Living With Your New Spouse in Okinawa**

**A. Tour Conversions**

If you want to live with your new spouse in Okinawa and receive housing entitlements at the dependant rate, you will need to modify your orders from “unaccompanied” to “accompanied.” Please contact your unit Career Retention Specialist for more details. Once you change your orders you will begin a three year accompanied tour on island, starting from the date your new orders are cut. These orders will list your spouse and any other dependants (like children) and give them Command Sponsorship.

**B. Command Sponsorship**

Your family members will be command sponsored once they are listed on you accompanied orders. This designation allows your dependants to stay in Japan longer than the 90 days tourist visa by permitting them to obtain a SOFA reentry permit in their passport. It also helps them to receive priority treatment in base hospitals and dental clinics, apply for on-base jobs, obtain a SOFA driver’s license and operate a “Y” plate car.

**C. Area Clearance**

In order to be eligible for Command Sponsorship, family members must pass a medical screening. This screening known as Area Clearance and is a medical questionnaire that must be completed by a military doctor. For information on Area Clearance, please contact IPAC Area Clearance Section at 645-8512. If you do not wish for your spouse to live here with you in Okinawa, they can visit up to 90 days on a tourist visa.

**D. Housing**

With an accompanied tour you will be eligible for on-base housing. Your spouse will have up to 60 days following a tour conversion to move to Okinawa. They can collect BAH or OHA (if approved) for no more than 60 days until they arrive on island. You will need to visit the DoD Family Housing Office on Kadena Air Base to apply for on-base housing. Their phone number is 634-0582.

**E. Permanent Change of Station**

Your Permanent Change of Station (PCS) travel compensation as well as compensation for your dependents(s) will depend on where your dependent(s) are located as well as your current type of tour. For more information you can refer to the Joint Federal Travel Regulations (JFTR) or call IPAC PCS Outbound Section at 645-5742.

## **VI. Marriage to Foreign Nationals**

If you are planning to marry a foreign national, it is very important that you understand how the immigration visa system works. Just because you marry a foreign national does not mean that he or she automatically has the ability to live in the United States. He or she must first obtain an immigration visa; otherwise, they will not be able to PCS with you back to the states. This visa will allow them to get a green card upon entry into the United States and in a few years they will be eligible for citizenship. You must be married before you can initiate the visa application process with your spouse. The immigration visa process has two main steps. You must first submit the I-130 Petition for an immigration visa. Once this petition is accepted, you then need to schedule an interview for your spouse, preferably between 6-8 months of your PCS back to the states. After this interview, your spouses will have up to a year to enter the United States. If you have further questions regarding immigration, you may look on the U.S. Citizenship and Immigration-USCIS website (<http://www.uscis.gov/portal/site/uscis>). USCIS has established a toll-free military help line, 1-877-CIS-4MIL (1-877-247-4645), exclusively for members of the military and their families. USCIS customer service specialists are available to answer calls Monday through Friday from 8 a.m. until 4:30 p.m. (CST), excluding federal holidays.