

Applying for a Marriage License in Walworth County

Requirements

Application: The couple must apply in person together, **by appointment ONLY**. Application may be made between 8:00am and 4:30pm Monday through Friday, excluding holidays. Call 262-741-4241 to schedule an appointment to apply.

Age: Any person who has attained the age of 18 may marry if otherwise competent. If a person is between the ages of 16 and 18, the license will be issued only with the written consent of parents, guardians, and/or custodians. If the parents are divorced, proof must be provided showing legal guardianship. If one parent is deceased, a certified death certificate is required.

Residency: Wisconsin residents, application must be made in the county in which at least one of the parties has resided for the past 30 days. If both are **not Wisconsin residents**, application must be made in the county in which the ceremony will take place.

Divorced persons: A person who is divorced is prohibited from making application for a marriage license until six months after the date the divorce was granted.

Waiting period: A 5-day waiting period is required by Wisconsin state statute to obtain a marriage license. The license is valid for 30 days from date of issuance and the marriage must be performed within that period.

Foreign languages: If either party does not speak or understand English, a third party interpreter must be present at the time of application. If documents are in another language, there must be a certified translation of said document.

Relationship: Persons closer in relation than second cousins may not marry, except first cousins when the female has attained the age of 55 years, or when one or more parties can be proven sterile.

Application Checklist

- Schedule a Ceremony Date and Appointment to Apply**
Application appointment cannot be made until a ceremony has been scheduled, even if the ceremony is at the Walworth County Judicial Center.
- Certified Birth Certificate**
Must be a certified copy from the state or county you were born in. Photocopies, hospital certificates, baptismal certificates, and notifications of birth registration are not accepted.
- Unexpired Photo ID**
Driver's License, State ID cards, and passports are accepted.
- Proof of Residence**
If address on Photo ID is not current, each applicant must present **two** dated bills or official correspondence. PO Boxes are not accepted.
- Social Security Number**
Cards are not necessary.
- Proof of how most recent marriage ended**
Signed and dated Judgement of Divorce or Dissolution of Marriage papers, legal annulment papers, or certified death certificate must be shown for most recent marriage.
- Ceremony Information**
The officiant's name, address, and phone number are required. It is the responsibility of the couple getting married to know their officiant is able to legally perform ceremonies. The location of the ceremony is also required. This includes the name of the county and city, town, or village where the ceremony will be held.
- Application fee**
Cost of license is \$100.00 **CASH ONLY**. No checks/debit/credit cards accepted. Payment is due at the time of application. If time allows, the license may be mailed for an additional \$2.00.
- Waiting Period**
Because the 5 day waiting period does not include the day of application or the day the license is issued, application needs to be made at least 7 days, but no longer than 35 days, before the wedding.

Unsure of when you can come in and apply? Here's a tip:

Start with the **Date of your Ceremony** and count back **35 days**. This is the first day you can apply. Next, count back **7 days** from your ceremony. This is the last day you can apply, keeping in mind our business hours.

For example: Date of Ceremony is **July 31st**. **June 26th** (35 days back) is the first day to apply; **July 24th** (7 days back) would be the last.

After the Wedding

- Purchase a certified copy of your marriage license.**
Contact the Register of Deeds in any Wisconsin county to order certified copies. It is your responsibility to order copies, nothing will be sent automatically.
- If changing your last name:**
 1. **Social Security Card** To change the name shown on your Social Security card at no cost, complete Form SS-5, which is available for download at: <http://www.ssa.gov/online/ss-5.html>. You can also obtain Form SS-5 by calling (800) 772-1213 or by visiting your local Social Security office.
 2. **Driver's License** Visit any Department of Motor Vehicles office to update your information and obtain a new license.

This information is provided by:

Kimberly S. Bushey
Walworth County Clerk

Walworth County Government Center
100 W. Walworth Street
Elkhorn, WI 53121
(262) 741-4241

Email: County_Clerk@co.walworth.wi.us
Website: www.co.walworth.wi.us

Please see Chapter 765 of the Wisconsin State Statutes for further information regarding Marriage laws in Wisconsin:
<https://docs.legis.wisconsin.gov/statutes/statutes/765>