

TOWN OF LAKEVILLE



GETTING MARRIED GUIDELINES

Provided by:

Office of the Town Clerk
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Town Clerk

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Getting Started

- Both parties must be present with valid identification when filing their intentions to marry.
- You must be 18 years of age or older.
- Be prepared: Make sure you know the correct spellings of parent's names in full (including their middle names.)
- Please have information regarding the planned date of marriage, location, and Officiant/Solemnizer.
- Cost to file Marriage Intentions is \$30.00. Certified copies after marriage are \$10.00 each.

Surname

- Applicants must provide the chosen surname (surname of birth or adoption) to be used after marriage.
- Either party may continue to use his/her current surname, take the surname of the other party, hyphenate a combination of surnames, or use any other surname of their choice as long as there is no intent to defraud.

Prerequisite for Applicants intending to marry in MA

The Waiting Period:

- The mandatory waiting period between the date intentions are filed and the date the license can be issued is three (3) days.
- Exception: Court Waiver – Parties, after filing intentions, may petition a judge of a probate or district court for a waiver to the three-day waiting period. Upon such order, the license may be issued without delay. A certified copy of the Court Order must be provided to receive the marriage license.

Divorce:

- By statute, neither party may marry if either party is currently married to someone else.
- Proof of divorce is not required however; the divorce must be absolute or final. You cannot remarry within 90 days of your divorce nisi.
- You cannot file intentions until divorce is final.

Legal Impediments: (see end of document for proper language)

- Must be 18 years of age and not blood related. Statutes also require that proof of age is presented when legal age is in doubt.
- Each party must indicate any relationship to the other party by consanguinity (blood/genetic relationship) or affinity (relationship through marriage of their relatives.) Certain relationships are

prohibited by Massachusetts statute and other may be prohibited by statutes where the party resides or intends to continue to reside.

- At this time, domestic partnerships and civil unions are not impediments to marriage under Massachusetts law.

Residency:

- Before issuing a license to marry a person who resides and intends to continue to reside in another state, the officer having authority to issue the license shall be satisfied, by requiring affidavits or otherwise, that such person is not prohibited from intermarrying by the laws of the jurisdiction where he/she resides.
- Adequate evidence of residence and intended residence could be: driver's license, passport, utility bill, bank or credit card statement, telephone listing, current voter registration, automobile registration, state/federal tax returns, purchase of sale agreement, or lease of residential property.

Oath:

- Be certain that each party has read and indicates understanding of the oath that appears above the signature lines.

Good to know

- Intentions may be filed in any Clerk's Office in Massachusetts for Massachusetts Weddings.
- Permanent Record of Marriage is maintained by community where intentions were filed and also Vital Records in Boston.
- Licenses are not filed in the community where marriage occurs unless intentions were filed there.
- Other information regarding the performances of marriage may be found at:
<http://www.sec.state.ma.us/pre/premarriages.htm>

MASSACHUSETTS LEGAL IMPEDIMENTS TO MARRIAGE

- No man shall marry his mother, grandmother, daughter, granddaughter, sister, stepmother, grandfather's wife, grandson's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, brother's daughter, father's sister or mother's sister. (MGL Chapter 207, Section 1.)
 - No woman shall marry her father, grandfather, son, grandson, brother, grandmother's husband, daughter's husband, granddaughter's husband, husband's grandfather, husband's son, husband's grandson, brother's son, sister's son, father's brother or mother's brother. MGL Chapter 207, Section 2.)
 - A marriage contracted while either party has a former wife or husband (except as provided in Section 6 of 207 and in Chapter 208 of the Massachusetts General Laws.
 - A marriage of a person under the age of eighteen years, except as provided in Chapter 207, Section 25 of the Massachusetts General Laws is prohibited.
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