

# State Defines Marriage Regulations

A couple who intends to be married in New York State must apply in person for a marriage license to any town or city clerk in the state. The application for such a license must be signed only by the bride and groom, if both are 18 years of age or older.

A marriage license is valid for 60 days from the date it was issued. However, the marriage ceremony may not take place within three days from the date on which either blood specimen was taken or within 24 hours from the time that the license was issued, whichever is later.

It is noteworthy that the day on which the blood is taken does not count as one of the three days.

The fee is \$5 for the license and up to \$5 for the Certificate of Marriage Registration. The latter is automatically sent by the clerk to the applicants within 15 days after the completed license is returned by the officiant, and serves as notice that a record of their marriage is on file.

## THE PREMARITAL EXAM

Upon application, the clerk will require from each applicant a statement signed by a licensed physician or a commissioned medical officer of the Armed Forces or the U.S. Public Health Service. The statement must indicate that on the basis of an examination and blood test, the applicant is not infected with syphilis or, if infected, not in a communicable state.

The statement, form VS-

77M is usually provided to physicians by the laboratory performing the blood test. The applicants obtain their respective statements from the physician when the results of the blood test are returned by the laboratory.

A premarital examination report is valid for 30 days from the date on which the examination and blood test are made.

An examination and blood test are not required when a couple who is already legally married needs a license for the purpose of a second or subsequent ceremony.

The provisions of the premarital examination and blood test may be modified or waived by order of a justice of the Supreme Court or the county judge of the county in which the woman resides. Such justice or judge may also authorize the ceremony to take place immediately.

## WHO CAN GET MARRIED?

A person may be required to submit documentary proof of age in the form of a birth certificate, baptismal record, passport, driver's license, employment certificate, school record, immigration record, naturalization record or court record. No other type of proof, such as a statement by parents may be accepted.

There are special requirements for issuing a marriage license to minors:

- Marriage is prohibited if the man is less than 16 years of age or the woman is under 14.

- If the woman is over 14 but under 16, she must submit the written consent of both of her parents or guardian and the written approval of either a justice of the Supreme Court or the judge of a Family Court having jurisdiction of the area where she applies for a license.

- If either the man or woman is over 16 but under 18 years of age, he or she must submit the written consent of both parents or guardians.

- One parent alone may consent to a minor's marriage if:

1. The other parent has been missing for one year preceding the application.

2. The parents have been

divorced and the consenting parent was given full custody of the child when the divorce decree was awarded.

3. The other parent has been judged incompetent.

Parents, guardians or other persons consenting to the marriage of a minor must personally appear and acknowledge or execute their consent before the town or city clerk or some other authorized official. If the affidavit is made before an official outside of the State of New York, it must be accompanied by a certificate of authentication when the consent is filed in New York State.

A marriage may not take place in New York State

between an ancestor and descendant, a brother and sister (full- or half-blood), an uncle and niece or an aunt and nephew, regardless of whether or not these persons are legitimate or illegitimate offspring.

If you've been married before, information regarding previous marriages must be furnished in the application for a marriage license. This includes whether the former spouse or spouses are living, and whether the applicants are divorced persons and, if so, when, where, and against whom the divorce or divorces were granted. A Certificate of Dissolution of Marriage issued by a county clerk may

be required by the clerk issuing the marriage license.

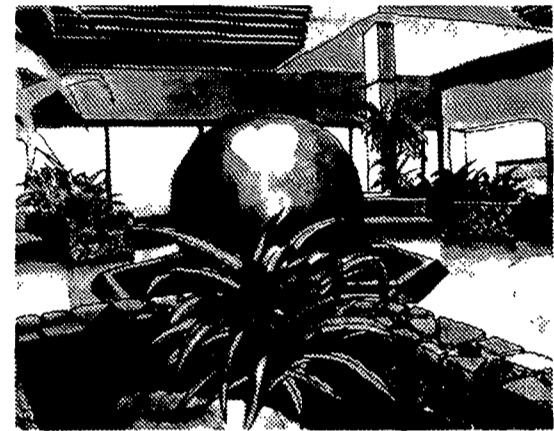
To be valid, a marriage must be conducted by one of the individuals specified in Section 11 of the Domestic Relations Law. Further information concerning who may perform a marriage ceremony is available from the clerk.

The marriage certificate must be signed by the officiant and a least one witness.

Within five days of the marriage, the officiant must forward the marriage certificate to the town or city clerk who issued the license. If there was a court order authorizing an immediate ceremony, it must also be sent to the clerk.



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## Charter Declares:

# The Right to Marry

By NC News Service

"All persons have the right to the free choice of their state of life and thus to marry and establish a family or to remain single," states the Charter of the Rights of the Family released in November by the Vatican.

The charter is addressed primarily to governments. But it also addresses international organizations and families themselves.

Some rights spelled out in the charter are: the right of parents in the education of children; the equal rights of men and women in a marriage; the rights of the family to decent housing, to a suitable salary for work, to freedom of religion; the family's right to fulfill its social and political functions -- even the right of the family to exist.

One section in the charter

is devoted to the basic right to marry. It states:

--Every man and woman, having reached marriage age and having the necessary capacity, has the right to marry and establish a family without any discrimination.

--Legal restrictions on the right to marry "can be introduced only when they are required by grave and objective demands of the institution of marriage itself and its social and public significance." The dignity and fundamental rights of the person must be respected.

--Those who wish to marry have the right to expect moral, educational, social and economic conditions in society "which will enable them to exercise their right to marry in all maturity and responsibility."

--Public authorities should uphold the institutional value of marriage.

## Honeymoon Hints

● Be honest with each other about how you really want to spend your honeymoon. Hiking? Shopping? Or just lazing away on a beach?

● Make your plans early. There is a better chance of getting exactly the space at the time you want instead of being disappointed or having to pay more because the rooms in your price are all taken.

● Take advantage of timing - with night-flight savings, weekday, excursion, and special fares.

## ...THE TOAST...

When you have completed your remarks it is time to propose the formal toast. It is your function to direct and coordinate this part of the ceremony. Don't rush it. If the audience is seated, face them and say "And now, ladies and gentlemen, I shall ask you to rise." Give them time to do so. Then turning to the couple with your glass raised to them say, "We wish you health and happiness in the years that lie ahead."