

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § § 5144

(a) Marriages may be solemnized by a supreme court justice, a superior judge, a judge of probate, an assistant judge, a justice of the peace, a magistrate, an individual who has registered as an officiant with the Vermont secretary of state pursuant to section 5144a of this title, a member of the clergy residing in this state and ordained or licensed, or otherwise regularly authorized thereunto by the published laws or discipline of the general conference, convention, or other authority of his or her faith or denomination, or by such a clergy person residing in an adjoining state or country, whose parish, church, temple, mosque, or other religious organization lies wholly or in part in this state, or by a member of the clergy residing in some other state of the United States or in the Dominion of Canada, provided he or she has first secured from the probate division of the superior court in the unit within which the marriage is to be solemnized a special authorization, authorizing him or her to certify the marriage if the probate judge determines that the circumstances make the special authorization desirable. Marriage among the Friends or Quakers, the Christadelphian Ecclesia, and the Baha'i Faith may be solemnized in the manner heretofore used in such societies. (b) This section does not require a member of the clergy authorized to solemnize a marriage as set forth in subsection (a) of this section, nor societies of Friends or Quakers, the Christadelphian Ecclesia, or the Baha'i Faith to solemnize any marriage, and any refusal to do so shall not create any civil claim or cause of action.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5131

(a) (1) Upon application in a form prescribed by the department, a town clerk shall issue to a person a civil marriage license in the form prescribed by the department and shall enter thereon the names of the parties to the proposed marriage, fill out the form as far as practicable and retain in the clerk's office a copy thereof. (2) The department shall prescribe forms that allow each party to a marriage to be designated "bride," "groom," or "spouse," as he or she chooses, and the application shall be in substantially the following form: VERMONT DEPARTMENT OF HEALTH APPLICATION FOR VERMONT LICENSE OF CIVIL MARRIAGE FEE FOR CIVIL MARRIAGE LICENSE: \$ 45.00, FEE FOR CERTIFIED COPY \$ 10.00 BRIDE/GROOM/SPOUSE (circle one) =ig;vtmarriagelicenseforms3 =ig;vtmarriagelicenseforms2 BRIDE/GROOM/SPOUSE (circle one) =ig;vtmarriagelicenseforms3 =ig;vtmarriagelicenseforms4 Date License issued Clerk issuing License This worksheet may be destroyed after marriage is registered. (3) At least one party to the proposed marriage shall sign the certifying application to the accuracy of the facts so stated. The license shall be issued by the clerk of the town where either party resides or, if neither is a resident of the state, by any town clerk in the state. (b) A marriage license so issued shall be delivered by one of the parties to the proposed marriage, within 60 days from the date of issue to a person authorized to solemnize marriages by section 5144 of this title. If the proposed marriage is not solemnized within 60 days from the date of issue, such license shall become void. After such person has solemnized the marriage, he or she shall fill out that part of the form on the license provided for his or her use, sign and certify to the same. Thereafter the document shall be known as a marriage certificate. (c) Such certificate shall be returned within ten days to the office of the town clerk from which the license issued by the person solemnizing such marriage. The town clerk shall retain and file the original according to sections 5007 and 5008 of this title.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § § 5144

(a) Marriages may be solemnized by a supreme court justice, a superior judge, a judge of probate, an assistant judge, a justice of the peace, a magistrate, an individual who has registered as an officiant with the Vermont secretary of state pursuant to section 5144a of this title, a member of the clergy residing in this state and ordained or licensed, or otherwise regularly authorized thereunto by the published laws or discipline of the general conference, convention, or other authority of his or her faith or denomination, or by such a clergy person residing in an adjoining state or country, whose parish, church, temple, mosque, or other religious organization lies wholly or in part in this state, or by a member of the clergy residing in some other state of the United States or in the Dominion of Canada, provided he or she has first secured from the probate division of the superior court in the unit within which the marriage is to be solemnized a special authorization, authorizing him or her to certify the marriage if the probate judge determines that the circumstances make the special authorization desirable. Marriage among the Friends or Quakers, the Christadelphian Ecclesia, and the Baha'i Faith may be solemnized in the manner heretofore used in such societies. (b) This section does not require a member of the clergy authorized to solemnize a marriage as set forth in subsection (a) of this section, nor societies of Friends or Quakers, the Christadelphian Ecclesia, or the Baha'i Faith to solemnize any marriage, and any refusal to do so shall not create any civil claim or cause of action.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5132

(a) If a participant in the program described in subchapter 3 of chapter 21 of Title 15 notifies the town that the participant's confidential address should not appear on the civil marriage license or certificate, then the town clerk shall not disclose such confidential address or the participant's town of residence on any public records. A participant who fails to provide such notice shall be deemed to have waived the provisions of this section. If such notice is received, then notwithstanding section 5131 of this title, the town clerk shall file the marriage certificate with the supervisor of vital records registration within ten days of receipt, without the confidential address or town of residence, and shall not retain a copy of the marriage certificate. (b) The supervisor of vital records registration shall receive and file for record all certificates filed in accordance with this section, and shall ensure that a person's confidential address and town of residence do not appear on the marriage certificate during the period that the person is a program participant. A certificate filed in accordance with this section shall be a public document. The supervisor of vital records shall notify the secretary of state of the receipt of a marriage certificate on behalf of a program participant. (c) The department shall maintain a confidential record of the person's actual mailing address and town of residence. Such record shall be exempt from public inspection. (d) Upon the renewal, expiration, withdrawal, invalidation or cancellation of program participation of any person of whom the secretary of state received notice from the supervisor of vital records registration, the secretary of state shall notify the supervisor of vital records registration. (e) Upon notice of the expiration, withdrawal, invalidation or cancellation of program participation, the supervisor of vital records registration shall enter the actual mailing address and town of residence on the original marriage certificate and shall transmit the completed original marriage certificate to the town clerk where the certificate was issued. (f) The town clerk shall process certificates received in this manner in accordance with the provisions of this chapter.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5137

(a) A town clerk shall issue a civil marriage license to all applicants who have complied with the provisions of section 5131 of this title and who are otherwise qualified under the laws of the state to apply for a license to marry and to contract for such marriage. (b) An assistant town clerk may perform the duties of a town clerk under this chapter.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5139

A town clerk who knowingly issues a civil marriage license upon application of a person residing in another town in the state, or a county clerk who knowingly issues a civil marriage license upon application of a person other than as provided in section 5005 of this title, or a clerk who issues such a license without first requiring the applicant to fill out, sign and make oath to the declaration contained therein as provided in section 5131 of this title, shall be fined not more than \$ 50.00 nor less than \$ 20.00.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5140

A person making application to a clerk for a license to marry who makes a material misrepresentation in filling the forms contained in the declaration of intention shall be deemed guilty of perjury and punished accordingly.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5141

(a) Before issuing a civil marriage license to an applicant, the town clerk shall satisfy himself by requiring affidavits or other proof that neither party to the intended marriage is prohibited from marrying by the laws of this state. (b) A clerk who fails to comply with the provisions of this section or who issues a civil marriage license with knowledge that the parties, or either of them, have failed to comply with the requirements of the laws of this state or a person who having authority and having such knowledge solemnizes such a marriage shall be fined not more than \$ 100.00. (c) The affidavits herein referred to shall be in a form prescribed by the board and shall be attached to and filed with the marriage certificate in the office of the clerk of the town wherein the license was issued.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5142

A clerk shall not issue a civil marriage license when either party to the intended marriage is: (1) A person who has not attained majority without the consent in writing of one of the parents if there is one competent to act; or the guardian of such minor; (2) Nor with such consent when either party is under 16 years of age; (3) Nor when either of the parties to the intended marriage is non compos mentis; (4) Nor to a person under guardianship without the written consent of such guardian. (5) [Deleted.]

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5143

A clerk who knowingly violates a provision of section 5142 of this title shall be fined not more than \$ 20.00. A person who aids in procuring such civil marriage license by falsely pretending to be the parent or guardian having authority to give consent to the marriage of such minors shall be fined not more than \$ 500.00.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5144a

(a) By registering with the secretary of state, an individual may temporarily be authorized to solemnize a marriage in this state. When registering, the individual shall provide: (1) A completed registration form provided by the secretary of state. (2) A \$ 100.00 fee. (b) Upon registration as a temporary officiant, the individual shall be authorized to solemnize only the civil marriage designated on the registration form, and shall receive proof of that authority from the secretary of state. The individual's authority to solemnize that civil marriage shall expire at the same time as the corresponding license.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5145

Persons authorized by section 5144 of this title to solemnize marriage shall require a civil marriage license of the parties, before solemnizing such marriage. The license shall afford full immunity to the person who solemnizes the marriage.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5146

A person who solemnizes a marriage, without first obtaining of the parties the license required by law, or who fails to properly fill out the form thereon provided for his use and return the license and certificate of civil marriage to the clerk's office from which it was issued within ten days from the date of the marriage, shall be fined not less than \$ 10.00.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5147

(a) A person who, knowing that he is not authorized so to do, undertakes to join others in marriage, shall be imprisoned not more than six months or fined not more than \$ 300.00 nor less than \$ 100.00, or both. (b) A marriage solemnized before a person professing to be a justice or a minister of the gospel shall not be void nor the validity thereof affected for want of jurisdiction or authority in such supposed justice or minister, providing that the marriage is in other respects lawful and is consummated with a belief on the part of the persons so married, or either of them, that they were lawfully joined in marriage.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5148

A copy of the record of the civil marriage made by a person required by law at the time the marriage was solemnized to make and keep the record certified by such person, or by the town or county clerk or the commissioner of health or the state archivist, if the record is in his or her office, shall be in all courts presumptive evidence of the fact of such marriage.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5150

(a) Within six months after a marriage is solemnized, the town clerk may correct or complete a civil marriage certificate upon application by a party to the marriage or by the person who solemnized the marriage. The town clerk may correct or complete the certificate accordingly and shall certify thereon that such correction or completion was made pursuant to this section, with the date thereof. In his or her discretion, the town clerk may refuse an application for correction or completion, in which case, the applicant may petition the probate division of the superior court for such correction or completion. (b) After six months from the date a marriage is solemnized, a civil marriage certificate may only be corrected or amended pursuant to decree of the probate division of the superior court in which district the original certificate is filed. (c) The probate division of the superior court to which such application is made shall set a time for hearing thereon and, if such court deems necessary, cause notice of the time and place thereof to be given by posting the same in the probate division of the superior court office and, after hearing, shall make such findings, with respect to the correction of such civil marriage certificate as are supported by the evidence. The court shall thereupon issue a decree setting forth the facts as found, and transmit a certified copy of such decree to the supervisor of vital records registration. The supervisor of vital records registration shall transmit the same to the appropriate town clerk to amend the original or issue a new certificate. The words "Court Amended" shall be typed, written or stamped at the top of the new or amended certificate with the date of the decree and the name of the issuing court.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 105: Marriage Records and Licenses § 5151

(a) A couple married in this state for whom no certificate of civil marriage was filed, as required by law, may petition the probate division of the superior court of the district in which the civil marriage license was obtained to determine the facts with respect to this civil marriage and to order the issuance of a delayed certificate of civil marriage. (b) The probate division of the superior court shall set a time for hearing on the petition and, if such court deems necessary, cause the notice of the time and place of the hearing to be given by posting a notice in the probate office. After hearing proper and relevant evidence as may be presented, the court shall make findings with respect to the civil marriage of the couple as are supported by the evidence. (c) The court shall issue a decree setting forth the facts as found and transmit a certified copy of said facts to the supervisor of vital records registration. (d) Where a delayed certificate is to be issued, the supervisor of vital records registration shall prepare a delayed certificate of civil marriage and transmit it, with the decree, to the clerk of the town where the civil marriage license was issued. This delayed certificate shall have the word "Delayed" printed at the top and shall certify that the certificate was ordered by a court pursuant to this chapter, with the date of the decree. The town clerk shall file the delayed certificate and, in accordance with the provisions of section 5010 of this title, furnish a copy to the department of health. (e) Town clerks receiving new certificates in accordance with this section shall file and index them in the most recent book of marriages and also index them with marriages occurring at the same time.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 106: Civil Unions; Records and Licenses § 5166

(a) An unauthorized person who knowingly undertakes to join others in a civil union shall be imprisoned not more than six months or fined not more than \$ 300.00 nor less than \$ 100.00, or both. (b) A civil union certified before a person falsely professing to be a justice or a member of the clergy shall be valid, provided that the civil union is in other respects lawful, and that either of the parties to a civil union believed that he or she was lawfully joined in a civil union.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 106: Civil Unions; Records and Licenses § 5167

A copy of the record of the civil union received from the town or county clerk, the commissioner of health, or the state archivist shall be presumptive evidence of the civil union in all courts.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 106: Civil Unions; Records and Licenses § 5168

(a) Within six months after a civil union is certified, the town clerk may correct or complete a civil union certificate, upon application by a party to a civil union or by the person who certified the civil union. The town clerk shall certify that such correction or completion was made pursuant to this section and note the date. The town clerk may refuse an application for correction or completion; in which case, the applicant may petition the probate division of the superior court for such correction or completion. (b) After six months from the date a civil union is certified, a civil union certificate may only be corrected or amended pursuant to decree of the probate division of the superior court in the district where the original certificate is filed. (c) The probate division of the superior court shall set a time for a hearing and, if the court deems necessary, give notice of the time and place by posting such information in the probate division of the superior court office. After a hearing, the court shall make findings with respect to the correction of the civil union certificate as are supported by the evidence. The court shall issue a decree setting forth the facts as found, and transmit a certified copy of the decree to the supervisor of vital records registration. The supervisor of vital records registration shall transmit the same to the appropriate town clerk to amend the original or issue a new certificate. The words "Court Amended" shall be typed, written or stamped at the top of the new or amended certificate with the date of the decree and the name of the issuing court.

Vermont Statutes - Title 18: Health - Part 6: Births, Marriages and Deaths - Chapter 106: Civil Unions; Records and Licenses § 5169

(a) Persons who were parties to a certified civil union ceremony in this state for whom no certificate of civil union was filed, as required by law, may petition the probate division of the superior court of the district in which the civil union license was obtained to determine the facts, and to order the issuance of a delayed certificate of civil union. (b) The probate division of the superior court shall set a time for hearing on the petition and, if the court deems necessary, give notice of the time and place by posting such information in the probate court office. After hearing proper and relevant evidence as may be presented, the court shall make findings with respect to the civil union as are supported by the evidence. (c) The court shall issue a decree setting forth the facts as found, and transmit a certified copy of said facts to the supervisor of vital records registration. (d) Where a delayed certificate is to be issued, the supervisor of vital records registration shall prepare a delayed certificate of civil union, and transmit it, with the decree, to the clerk of the town where the civil union license was issued. This delayed certificate shall have the word "Delayed" printed at the top, and shall certify that the certificate was

ordered by a court pursuant to this chapter, with the date of the decree. The town clerk shall file the delayed certificate and, in accordance with the provisions of section 5010 of this title, furnish a copy to the department of health. (e) Town clerks receiving new certificates in accordance with this section shall file and index them in the most recent book of civil unions, and also index them with civil unions occurring at the same time.