Solemnizing Marriages in Iowa

Authority to Marry

Iowa Code Chapter 595 governs Iowa marriages; and Chapter 144 administers the registration process.

There is no formal "registration" of Officiants in Iowa. You are authorized to solemnize marriage ceremonies in Iowa if you are

1. An Iowa judge, magistrate, or associate judge serving on the Iowa supreme court, court of appeals, or district court; or

2. An individual ordained or designated as a leader of the person's religious faith, regardless of the state of residence or service (595.10).

You are **NOT** authorized, however, if you are a federal judge, a judge serving in another state, a seminary student, a riverboat captain, or not ordained/leader of your faith.

- If you are not authorized to perform marriages in Iowa, a fine could be levied against everyone involved with the wedding party (595.11).

In addition, you may only perform marriage ceremonies in Iowa

1. if the parties to be married present a valid License to Marry in Iowa indicating they made proper application to marry in Iowa at a County Registrar's office;

2. if the "valid date" on the License to Marry in Iowa is prior to or the same date as the marriage ceremony; and

3. if the parties to be married, plus at least two (2) witnesses are all physically present at the same time and in the same location. Ceremonies by proxy, telephone, Internet, or other electronic means are not legal in Iowa.

Fee for Performing Marriages

Authorized Iowa judges may charge the marrying couple a reasonable fee for time and expenses only if the ceremony takes place outside of normal judicial working hours. No fee may be charged when the ceremony occurs during regular working hours (595.12).

Authorized ministers may charge a reasonable fee as agreed upon by him or her and the parties to be married.

Before the Ceremony

Application. To be married in Iowa, the parties to be married are required to first apply for a "License to Marry in Iowa" with a County Registrar, who are county officials serving as County Recorders located in county courthouses or county administration buildings.

The application fee is $35.00 in U.S. funds, payable to the County Recorder where the license will be issued. The fee includes a certified copy of the Certificate of Marriage record once it has been filed and registered. The fee is NOT refundable if the marriage ceremony does not take place as planned.

License to Marry. The parties to be married must present a copy of their "License to Marry in Iowa" to you prior to the ceremony. The valid date to perform the ceremony will be stated on the license, or the 4th day after the date of application. Couples should speak to their County Registrar about special requirements to waive the waiting period in emergency situations.

- You are neither required, nor prohibited, by law to maintain a copy of the couple's license in your files. You are prohibited, however, from making a photocopy of the Certificate of Marriage or affixing your seal to the certificate.

- The License to Marry indicates, by law, any legal name change that the marrying couple has requested to use after the ceremony.

- The License to Marry serves as proof that the couple has made application to marry – but **NOT** proof that the marriage event actually occurred. In Iowa, couples may make application and obtain a license without being required by current law to follow through with the wedding event within a given time period.

Certificate Form. Along with the License to Marry, the marrying couple was issued a partially completed Certificate of Marriage form – also known as the "return of marriage" or "original state copy." They should present this to you along with their License, and it must be completed and signed immediately after the ceremony. See the back panel of this brochure for further instructions.

After the Ceremony

Complete the lower portion of the "Certificate of Marriage" form and obtain the necessary signatures immediately after the ceremony.

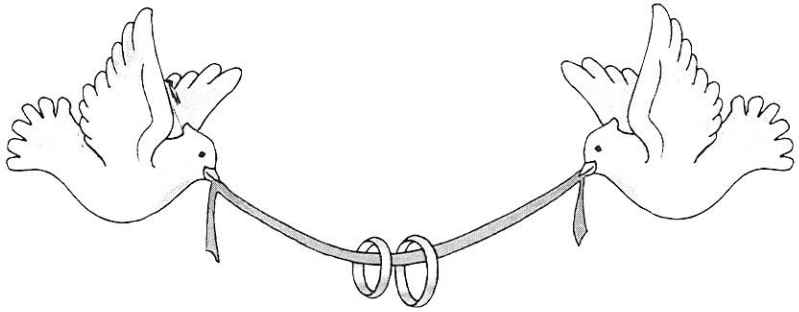
1. Use only black ink and type or print clearly to ensure a legible legal document for certifying and accuracy when the information is entered into the state vital records system.
2. Provide the information regarding the date and specific location of the marriage event, as well as information regarding yourself. Cross-offs and white-outs are **not** acceptable.
3. Certify to the facts of the marriage event by signing only on line 15a. Do not affix any kind of notarization or seal.
4. Have the newly married couple sign only on lines 13a and 13b in the order as stated for Party A and Party B. To ensure the integrity of the record, they must sign exactly as they have stated that their names shall be **after** the marriage. The County Recorder may refuse to register the record if it is not signed properly.
5. Have two (2) persons who were present at the ceremony sign as witnesses. Witnesses should be of an age and competency that they understand the nature of the event and are competent to enter into civil contracts themselves. Ensure that witnesses sign only on lines 16a and 16b, otherwise you'll need to get a new form and start over later.
6. Print your name and the witnesses' names in the space provided.
7. Have the couple complete and sign an Address Update statement, if necessary. Marrying couples are responsible for ensuring that their County Registrar has accurate information to mail the certified copy (or arrange to pick it up in person).
8. Review the certificate for completeness and accuracy. Ensure that signatures are on the proper lines.
9. The next business day, return the Certificate of Marriage form, along with any Address Update, to the County Registrar in the county that issued the marriage license.***
10. The County Registrar will review the returned form prior to registration to ensure that all items are properly completed (595.15). Inadequate certificate forms will be returned to you for completion or to start over.

**** By law, officiants must file the record for registration within 15 days. However, agencies now require certified copies of the record before they will update a name change, add a new spouse to a benefit package, etc.*

FORM #588-0562VR

Important Information About Iowa Marriage Records

. . . What Officiants Need to Know to Solemnize a Marriage Ceremony



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