

HARRY GEE, JR. & ASSOCIATES

HOW TO GET A TEXAS MARRIAGE LICENSE OR DECLARATION OF INFORMAL MARRIAGE

Where to Get a License or Declaration

To obtain a marriage license in Texas you must file an application in person with the county clerk's office. The county clerk is the only official authorized to issue marriage licenses, however, other authorized persons are required to perform the ceremony. These officials are

1. Licensed or ordained Christian ministers, and priests;
2. Jewish rabbis;
3. Persons who are officers of religious organizations and who are duly authorized by the organization to conduct marriage ceremonies; or
4. Justices of the Supreme Court, Judges of the Court of Criminal Appeals, Justices of the Court of Appeals, Judges of the District, County, and Probate Courts, Judges of the County Court at Law, Courts of Domestic Relations and Juvenile Courts, retired Justices and Judges of such courts, Justices of the Peace, retired Justices of the Peace, and Judges and Magistrates of the Federal Courts of this state.

Formal registration of your marriage by common law will require you to file a Declaration of Informal Marriage with the county clerk's office. In Houston, the appropriate place to get a license or declaration is at the Harris County Clerk's office or one of its branches. Locations in the Houston area are listed below.

Requirements for Marriage License

Both you and your spouse must be 18 years old to get a marriage license without parental consent. You need parental consent if you are between 14 and 17 years of age.

You must obtain your license at least 72 hours prior to the ceremony, but not more than 1 month. This is because the marriage license will expire 30 days after it was issued. So remember to plan to get your license so your ceremony takes place within 3 to 30 days of obtaining your license.

When purchasing the license at the county office, no drug or medical records are required, and couples do not need to bring a witness. The marriage ceremony does not have to occur in Texas. The ceremony may occur in another state, another country, or in international waters. However, the applicants should realize that if questions should arise, the validity of the marriage might be subject to the jurisdiction's laws where the marriage occurred. Same sex marriages are not legal.

Documents You Will Need to Take With You

Both parties must present themselves at the county clerk's office, and bring with them:

1. A valid form of identification such as:
 - Certified copy of Birth Certificate or
 - A valid passport or
 - A valid driver's license or
 - A valid military ID or
 - A valid resident alien/government issued ID
2. Social Security Number
3. \$41 for the license fee

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Requirements for Common Law Marriage & Declaration of Informal Marriage

Texas recognizes common law marriages, which are legally referred to as “informal marriages.” The word “informal” means that the marriage is created without the formalities of a marriage ceremony. A couple qualifies for common law marriage, or “informal marriage,” if they meet the following requirements:

1. The couple agrees that they are married,
2. they live together in Texas, and
3. They represent themselves or “hold out” to other individuals that they are married to one another.

The couple has the option to register their marriage with the county. To do this they must present themselves at the county clerk’s office and file a Declaration of Informal Marriage.

To file a Declaration of Informal Marriage you will need to take with you the same proof of identity and age as if you were getting a marriage license. The filing fee is \$31.

What to Expect

As with dealing with most government agencies, expect long lines. Be sure to get to the clerk’s office as early as possible to avoid delay.

Locations and Times

Main Office: 1001 Preston, 4th Floor of Administration Building (713) 755-6411

General Hours of Operation: M-F, 8:00 A.M. – 4:30 P.M.

Branch Offices

Baytown:	701 W. Baker Road,	Baytown	(281) 422-0253
Clear Lake:	16603 Buccaneer,	Clear Lake	(281) 486-7250
Chimney Rock:	6000 Chimney Rock,	Houston	(713) 660-7902
Clay Road:	16715 Clay Road,	Houston	(281) 859-0685
Cypresswood:	6831 Cypresswood Dr.,	Houston	(281) 379-1057
Shepherd:	7300 North Shepherd,	Houston	(713) 697-5193
South Belt:	10851 Scarsdale,	Houston	(281) 464-0115
Humble:	121 W. Main,	Humble	(281) 540-1173
Pasadena:	107 E. Shaw,	Pasadena	(713) 473-9048

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