

Performing Marriages in Iowa

Authority to Marry

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

You are authorized to perform marriage ceremonies (solemnize) in Iowa if you are (595.10)

1. An Iowa judge, magistrate, or associate judge serving on the supreme court, court of appeals, or district court; or
2. An individual ordained or designated as a leader of a religious faith, regardless of the state of residence or service.

You are **NOT** authorized, however, if you are a federal judge, a judge serving in another state, a seminary student, or a riverboat captain.

- 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

1. within the state boundaries of Iowa if the marrying couple intends to record the event in Iowa, regardless of the county on license;
2. if the marrying couple made proper application to marry with a County Registrar of Vital Records in Iowa; and
3. if the marrying parties and two (2) witnesses are all physically present at the same time in the same location. Exactly two (2) witnesses are required by law to attest to the ceremony of the marriage record.

Fee for Performing Marriages

Authorized 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 marrying couple.

Before the Ceremony

Application. Couples must first apply for a “License to Marry in Iowa” with a County Registrar of Vital Records in Iowa. Instructional handouts are available from these county officials, who also serve as County Recorders in county courthouses or administration buildings.

Effective January 1, 2001, the application fee is \$35.00 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 marrying couple 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 - a minimum of three days from the time of application. Couples should speak to their County Registrar about special requirements if they need a 3-day waiver.

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

- 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 - NOT as 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 - often referred to as the “return of marriage” or “original state copy.” They should present this to you along with their license to complete and sign 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. Fill in the date and specific location of the marriage event, as well as information regarding you and the witnesses.
3. Sign and date to certify the facts of the marriage event. Do not, however, affix any kind of notarization or seal.
4. Have the newly married couple sign. Accidentally signing a previous name will not affect the legality of newly adopted names as requested on the application to marry and stated on the license and state copy.
5. Have two (2) persons who were present at the ceremony sign as witnesses. Persons serving as witnesses should be of such age and competency that they understand the nature of the event and are competent of enter in civil contracts themselves.
6. Print your name and the witnesses' names in the space provided.
7. Have the couple complete and sign the Address Update form provided to them at the time that their license was issued. Marrying couples are responsible for ensuring that their County Registrar has accurate information to mail the certified copy (or have it picked up).
8. Review the certificate and address forms to confirm that all items have been accurately completed.
9. The next business day, return the Certificate of Marriage form, along with the Address Update form, 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.

***By law, officiants must file the record for registration within 15 days. However, more and more agencies now require certified copies of the registered record in order to change the name of a newly married person's record with that agency or business, add that person to the spouse's benefit package, and so forth. Therefore, it is in the best interest of your married couple to return the certificate form as quickly as possible.

Important Information About Iowa Marriage Records *... What Officiants Need to Know When They Perform a Marriage Ceremony*

Developed by
Iowa Department of Public Health, Bureau of Vital Records
Stephen C. Gleason, Director and Stare Registrar

Distributed in cooperation with local
County Registrars of Vital Records