

# How to Obtain a Marriage License

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All people who marry in Massachusetts must have a marriage license issued in Massachusetts. An out-of-state license cannot be used. This publication outlines the procedures you must follow to obtain the license.

## How do we apply for a marriage license?

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You must both apply in person for a marriage license. This requirement is applicable to both residents and non-residents of the Commonwealth. According to Massachusetts law, you must jointly file intentions to marry, and you may do so with the city or town clerk in any community in the state. If a person is in the military, intentions may be filed by either party, providing one is a Massachusetts resident. If a person is incarcerated in a county house of correction or a state correctional facility, intentions may be filed by either party. A marriage license, once obtained, is valid for 60 days from the date intentions are filed and may be used in any Massachusetts city or town. It is not valid outside the state.

## Is there a waiting period from the date of application to the date the license is issued?

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Yes, there is a mandatory three-day waiting period. While Sundays and holidays are included in the three days, the day the application is made is not. For example, if you apply on Friday, your license will be issued on or after Monday. Check with your town clerk to determine whether you must pick it up in person, or if it can be mailed.

## May we marry before the three days for good reason?

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Yes, if you can obtain a court waiver after filing intentions. According to MGL Ch. 207:30, if both parties are residents, or non-residents, or one of each, and they need to dispense with the three days, they may do so by applying to the judge of a probate or district court to have the license issued without delay, after filing intentions with the clerk. Under extraordinary or emergency circumstances, such as if the death of either party is imminent or the female is nearing the end of her pregnancy, an authorized request by a minister or clergyman or an attending physician shall suffice and the clerk can issue the certificate without delay.

## Do we need any witnesses present at the ceremony?

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Massachusetts statute does not require that witnesses be present at your ceremony. However, if a member of the clergy performs the ceremony, you should ensure that you are in conformity with the appropriate religious tenets.

## What are the responsibilities of the member of the clergy or the justice of the peace?

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The member of the clergy or justice of the peace must complete and sign the original license and return it to the clerk of the city or town where the license was issued.

## What should be done if an out-of-state member of the clergy is to perform the marriage?

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If an out-of-state member of the clergy is to perform the marriage, the clergyman must obtain a Certificate of Authorization from the Massachusetts Secretary of the Commonwealth prior to the ceremony.

You may contact your city or town clerk, or:

Registry of Vital Records and Statistics  
Department of Public Health  
150 Mt. Vernon Street  
Boston, MA 02125-3105  
(617) 740-2600

[www.state.ma.us/dph/bhsre/rvr/rvr.htm](http://www.state.ma.us/dph/bhsre/rvr/rvr.htm)  
[vital.recordrequest@state.ma.gov](mailto:vital.recordrequest@state.ma.gov)

For more information, please contact:

Catherine Flanagan Stover, Town Clerk, CMC, CMCC  
Town Clerk's Office  
16 Broad Street  
Nantucket, MA 02554  
508-228-7217