

INSTRUCTIONS FOR COMPLETING AN ABSENT APPLICANT AFFIDAVIT

PLEASE READ CAREFULLY

The **AFFIDAVIT OF ABSENT APPLICANT** is to be used to apply for a Marriage License when one party is unable to appear in the County Clerk Office. Please read the following instructions carefully before completing the Affidavit. Print or type all information that is requested on the attached Affidavit. The absent party must return the completed Affidavit to the party he/she wishes to marry. **Both parties desiring to marry must be in full compliance with the information that follows or the application will be denied.** At least one party desiring to marry must appear before the County Clerk:

- (1) The County Clerk may not issue a marriage license for which both applicants are absent unless the person applying on behalf of each absent applicant/s provides to the Clerk an Affidavit of the applicant/s declaring that the applicant/s is/are:
 - (a) on active duty as a member of the armed forces of the United States, or the state military forces; or
 - (b) confined in a correctional facility, as defined by Sec. 1.07, Penal Code
- (2) The party who will not be able to appear in the County Clerk Office must complete and sign the attached form in the presence of a Notary Public or office in the U.S. Military who has the authority to take acknowledgments. A title and/or name must be printed or typed below this signature. All blanks on the form must be completed.
- (3) The names of both parties must be printed or typed exactly as they appear on the identification that will be used to obtain the Marriage License. Acceptable forms of identification are: valid driver license in US, original or certified copy of birth certificate plus a photo I.D., US Military I.D., valid I.D. issued by the Department of Public Safety, valid passport, any valid I.D. issued by the State of Texas, naturalization papers. The authorized person taking the acknowledgment must see to it that **ALL** the information requested on the form from lines #1 through #16, are filled out and completed except the signature of the absent applicant.
- (4) If absent applicant or both applicants will not be able to attend the ceremony, the appointment of any adult, **except the other applicant**, to act as Proxy for the purpose of participating in the ceremony must be noted in line #16 on the form and Proxy must appear in person with the other party and present his/her identification. Proxy may be used for the marriage ceremony only if one or both applicants is/are in the U.S. Military and based overseas in support of combat or other military operation. No other applicants may use the PROXY at a marriage ceremony (Sec. 2007 of the Texas Family Code).
- (5) Applicant must then appear in any County Clerk Office in the State of Texas at least 72 hours, but not more than 30 days prior to the ceremony. The applicant must present an acceptable form of identification for **both parties** that states the correct name and date of birth of each applicant as required in #1 and #3, on the Affidavit.

UNDER NO CIRCUMSTANCE WILL THE COUNTY CLERK ACCEPT AN ALTERED DOCUMENT AS PROOF OF IDENTITY. APPLICANT MUST SUBMIT TO THE COUNTY CLERK THE ORIGINAL OR CERTIFIED COPY OF THE DOCUMENT

- (6) The 72-hour waiting period does not apply to an applicant who is on military active duty. Said military applicant must present his/her military I.D. along with another form of I.D.
- (7) If either party has been divorced within the last 30 days, please contact the County Clerk Office for more information.
- (8) If either party is under 18 years of age, please contact the County Clerk Office for more information.
- (9) If marriage must take place before the 72-hour waiting period, please contact the County Clerk Office for more information.

AFFIDAVITS EXPIRE 30 DAYS FROM DATE OF NOTARY ACKNOWLEDGMENT

Office Hours: 8:00 A.M. to 5:00 P.M. Monday through Friday except weekends and holidays, Phone 409/766-2200

PLEASE ALLOW AT LEAST 30 MINUTES TO ISSUE LICENSE

