



## Instructions for the Ceremony & Completion of the Marriage License

A Deputy Commissioner of Civil Marriages may solemnize one marriage under the direction of the Commissioner of Civil Marriages and under **all** of the following conditions and limitations. Please read these instructions before applying for your commission and before performing the ceremony.

- The marriage may only be solemnized on the dates specified on the face of the Appointment and Oath of Office form. The parties to the marriage must present a marriage license to the deputy prior to the ceremony as stated in Family Code 421. Solemnizing a marriage without first being presented with a marriage license, willfully making a false return of any marriage license or pretend marriage license to the county recorder is guilty of a misdemeanor under Penal Code Section 360.
- Do not use white out, correction fluid, or make **any** corrections or changes if a mistake has been made. The license cannot be recorded if altered in any way. If there is a mistake, please notify the County Recorder when returning the marriage license. A duplicate license must then be issued for an additional fee.
- Use black ink or dark blue ink only. The Deputy must fill in the following on the license: the date, city/town, and county of the ceremony, his/her signature and printed name, official title and address
- This will be a civil commission, therefore there is no religious denomination and you should enter one dash mark in the field requesting this information (Box 29B). Your official title, to be entered into Box 29D, is Deputy Marriage Commissioner.
- The Deputy Commissioner must have at least one, and no more than two witnesses sign the Public Marriage License (VS117), using black or dark blue ink only. No witness is required to sign a Confidential Marriage License (VS123).
- No particular form for the marriage ceremony is required; however, the parties to the marriage must declare in the presence of the deputy that they take each other as spouses. You will be provided with a sample civil marriage ceremony.
- When completed, it is the Deputy Marriage Commissioner's responsibility to return the marriage license to the County Recorder within 10 days of the ceremony. Confidential marriage licenses are to be returned to the County Clerk within 10 days of the ceremony. Failure to return a license for recording is a misdemeanor pursuant to Health and Safety Code 103785.
- The Deputy shall not receive any money or anything of value for performing a marriage ceremony.

California Family Code 421: Before solemnizing a marriage, the person solemnizing the marriage shall require the presentation of the marriage license. If the person solemnizing the marriage has reason to doubt the correctness of the statement of facts in the marriage license, the person must be satisfied as to the correctness of the statement of facts before solemnizing the marriage. For this purpose, the person may administer oaths and examine the parties and witnesses in the same manner as the county clerk does before issuing the license.

California Health and Safety Code 103785: Every person who is required to fill out a certificate of birth, fetal death, or death, or marriage license and register it with the local registrar, or deliver it, upon request, to any person charged with the duty of registering it, and who fails, neglects, or refuses to perform that duty in the manner required by this part is guilty of a misdemeanor.

California Penal Code 360: Every person authorized to solemnize any marriage, who solemnizes a marriage without first being presented with the marriage license, as required by Section 421 of the Family Code; or who solemnizes a marriage pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family Code without the authorization required by that part; or who willfully makes a false return of any marriage or pretended marriage to the recorder or clerk and every person who willfully makes a false record of any marriage return, is guilty of a misdemeanor.