

Divorced Persons.

765.03 (2) Wis. Stats.

It is unlawful for any person, who is or has been a party to an action for divorce in any court in this state, or elsewhere, to marry again until 6 months after judgment of divorce is granted and the marriage of any such person solemnized before the expiration of 6 months from the date of the granting of judgment of divorce shall be void.

This time restriction applies no matter where the marriage or divorce occurred.

It is illegal for Wisconsin residents to marry outside the state to avoid Wisconsin laws.

765.04 Marriage abroad to circumvent the laws.

(1) If any person residing and intending to continue to reside in this state who is disabled or prohibited from contracting marriage under the laws of this state goes into another state or country and there contracts a marriage prohibited or declared void under the laws of this state, such marriage shall be void for all purposes in this state with the same effect as though it had been entered into in this state.

(2) Proof that a person contracting a marriage in another jurisdiction was (a) domiciled in this state within 12 months prior to the marriage, and resumed residence in this state within 18 months after the date of departure there from, or (b) at all times after departure from this state, and until returning maintained a place of residence within this state, shall be prima facie evidence that at the time such marriage was contracted the person resided and intended to continue to reside in this state.

(3) No marriage shall be contracted in this state by a party residing and intending to continue to reside in another state or jurisdiction, if such marriage would be void if contracted in such other state or jurisdiction and every marriage celebrated in this state in violation of this provision shall be null and void.

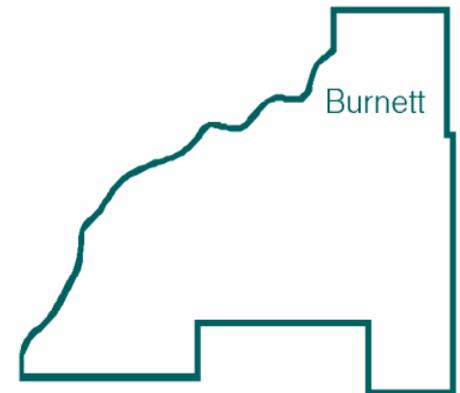
History: 1979 c. 32 s. 48; 1979 c. 176; Stats. 1979 s. 765.04.

**Burnett County Clerk's Office
7410 County Road K, # 105
Siren, WI 54872**

MARRIAGE LICENSE APPLICATION REQUIREMENTS

As of July 1, 2022

**Burnett County
Wisconsin**



**Wanda Hinrichs
Burnett County Clerk**

Marriage License Application Requirements

Burnett County, Wisconsin

Both applicants must have all required documents with them before the County Clerk's Office will start the application process for a marriage license.

Marriage License applications must be done in-person and by appointment only. No applications will be started after 3:30 p.m. unless prior arrangements have been made with the County Clerk.

WHERE TO APPLY Wisconsin residents and nonresidents can apply for, obtain and use a marriage license for their ceremony in any county of the state. Both applicants must apply in person.

HAVE THE FOLLOWING WITH YOU Proof of residence for the last 30 days: a valid driver's license or government issued identification card showing the applicant's residence address. If the address is incorrect, also bring a utility bill, credit card statement, etc. showing correct address.

Social Security number: the card is not required.

Certified copy of birth certificate: If born in Wisconsin, a certified copy may be obtained in the Register of Deeds Office in any county of Wisconsin. If not born in Wisconsin you must obtain a certified copy from the state/county you were born or the vital statistics office in the state of birth. *Neither a notification of birth registration, a certification of birth registration, nor a certificate issued by a hospital is acceptable.*

WAITING PERIOD The license is issued on the 3rd day following application. Counting starts on the day after application and ends on day three. Under special circumstances, the waiting period may be waived on approval of the County Clerk and a \$10 waiver fee will be collected.

IF PREVIOUSLY MARRIED - PROOF OF HOW LAST MARRIAGE ENDED For a divorce or annulment, applicants must present a court stamped copy of your signed decree, which specifies the actual date the divorce was granted OR a certified copy of a death certificate from the State Vital Records Office.

Applicants may not marry until six months after the final divorce/death/annulment date of the most recent previous marriage.

If you have been married more than once previously, you must provide the document from the most recent marriage.

ALSO NEEDED Date, county and city, village or township where marriage ceremony will take place.

The name, address, phone number and email address of the officiant performing the ceremony.

Names of two adult witnesses you plan to have sign the marriage license. Only one adult witness is required if one of the parties to the marriage is in the active military service of the United States.

AGE REQUIREMENT 18 years or older. See the next section for applicants who are 16 or 17.

APPLICANTS WHO ARE 16 OR 17 A consent form must be signed by the parent (s), legal guardian, custodian (appointed by a court), or person having actual care, custody and control of the applicant. The consent form is an official oath; it states that the person signing swears that he or she does in fact have the legal authority to give consent and that the consent is given. It must be signed in the presence of the county clerk or in the presence of a notary public and it must be presented to the county clerk at the time of license application.

GUARDIANSHIPS If applicant is 16 or 17 years old the age requirement terms will apply. If applicant is 18 years or older, the terms of each specific guardianship will apply.

LICENSE EXPIRATION The marriage license is valid for 60 days from the date of issuance. Counting starts on the day after issuance and ends on day 60.

FEE The cost is \$75.00 for the marriage license. This is payable either by cash, check or credit/debit card. A \$10.00 waiver fee may apply when applicable. *Fees may be different in other counties.*

COMPLETED MARRIAGE LICENSE AFTER CEREMONY Completed marriage licenses can be returned to the Register of Deeds in any county in the state (this still needs to occur within three days after the date of marriage).

ALL FOREIGN DOCUMENTS If any required document is in a foreign language, you must provide a certified translation of the document or bring a translator to translate in person.

IN BURNETT COUNTY APPLY:

Monday through Friday

BY APPOINTMENT ONLY

8:30 a.m. to 3:30 p.m.

County Clerk's Office: First Floor - Room 150

Burnett County Government Center

7410 County Road K, #105

Siren, WI 54872

Phone 715-349-2173

FAX 715-349-2169

clerksoffice@burnettcounty.org

For additional information go to:

<http://www.burnettcounty.com/722/Marriage-License-Application-Requirement>

Closed Saturdays, Sundays and Legal Holidays