

## ***Fact Sheet***

### ***License & Certificate of Marriage***

- Applicants **must review** the License & Certificate of Marriage for errors.
- **Applicants must apply for the License & Certificate of Marriage in their full legal name** (ie., name listed on your birth certificate, court ordered name change, naturalization, or adoption if applicable). **A name cannot be amended** after the fact on a License & Certificate of Marriage.
- **We have reviewed the information on the reverse side pertaining to the Name Equality Act of 2007, and understand the information in the new name fields 30A thru 31C cannot be changed or amended after the license is issued by this office.**
- Any error reported in the **name, number of times married or terminated State registered domestic partnership**, and other items may result in citizenship issues with Immigration & Naturalization Service and could require a court order to correct.
- **Other errors** may result in the **delay** of processing **survivor benefits**.
- Applicants must be getting married in California within 90 days from the date the License & Certificate of Marriage is issued.
- There are **no refunds** for a License & Certificate of Marriage purchased in error. If the License & Certificate of Marriage is lost, stolen, or destroyed prior to the marriage ceremony, applicants must re-apply and pay the full fee for a new License & Certificate of Marriage.
- Affidavits to Amend a Record must be filed to correct errors. This process can take one year or more and additional costs may apply.
- Applicants will be required to raise their right hand and affirm that they have read the following Affidavit on the License & Certificate of Marriage prior to signing the License & Certificate of Marriage: **WE HAVE REVIEWED THE INFORMATION ON THE REVERSE SIDE PERTAINING TO THE NAME EQUALITY ACT OF 2007, AND UNDERSTAND THE INFORMATION IN THE NEW NAME FIELDS 30A THRU 31C CANNOT BE CHANGED OR AMENDED AFTER THE LICENSE IS ISSUED BY THIS OFFICE. "WE, THE UNDERSIGNED DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT WE ARE UNMARRIED AND THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE FURTHER DECLARE THAT NO LEGAL OBJECTION TO THE MARRIAGE NOR TO THE ISSUANCE OF A LICENSE IS KNOWN TO US. WE ACKNOWLEDGE RECEIPT OF THE INFORMATION REQUIRED BY FAMILY CODE SECTION 358 AND HEREBY APPLY FOR A LICENSE AND CERTIFICATE OF MARRIAGE."**

## INFORMATION REGARDING THE NAME EQUALITY ACT OF 2007

One or both parties to a marriage may elect to change the middle or last names by which that party wishes to be known after they are married by entering the new name in fields 30A thru 31C, as applicable, on the marriage license application **at the time they are applying for the marriage license**. The parties may choose any of the following **middle or last names** as the name they wish to be known as after marriage [FC § 306.5(b)(2)]:

- ◆ Current last name of the other spouse
- ◆ Last name of either spouse given at birth
- ◆ A name combining into a **single last name** all or a segment of the current last name or last name of either spouse given at birth
- ◆ A hyphenated combination of last names

**NOTE:** You may **not** change your **first name** using this process. **IMPORTANT:** You **may not** amend the marriage license **after it has been issued** to add or change the name you wish to be known as after you are married. The name you indicate on the marriage license application will be your name on the marriage license/certificate and cannot be changed by the County Clerk.

You are not required to change your name, nor are parties required to have the same name.

If one or both parties do not wish to identify a new name on the marriage license, fields 30A thru 31C, as applicable, on the marriage license will be completed with two single dashes. You may not change the information on the marriage license after it has been issued by the County Clerk.

The marriage certificate is used by multiple local, state, federal and private agencies, each of which have different rules and/or regulations regarding what documents are acceptable to change your name on their records following marriage. It is recommended that you contact these agencies to verify their requirements **prior to applying for your marriage license**.

It is unlawful for our employees to answer questions of a legal nature. County Clerk staff cannot advise you how to complete the marriage license application as it relates to your entry of a new name or retention of your former name on the marriage license application. For your protection, if you have **any** questions regarding whether you should or should not list your new name on the marriage license application, and/or how the Name Equality Act of 2007 may affect you, please consult an attorney **prior to applying for your marriage license**.