



Marriage Equality in New Jersey: What you need to know (Dec. '13)

Here below are resources to help you understand how marriage equality is being implemented. (Source: www.state.nj.us/health/vital/faq.shtml#ssm)

If I was married in another state, do I need to enter in a marriage in New Jersey in order to have my marriage recognized in New Jersey?

No. Just as with opposite-sex couples, so long as your out-of-state marriage is consistent with the laws and public policy of New Jersey, your marriage is valid and recognized in this State and you will not need to enter into a New Jersey marriage.

If I am currently in a domestic partnership or civil union and subsequently enter into a marriage with my partner, what happens to my domestic partnership or civil union?

Civil unions and domestic partnerships remain valid. Your civil union or domestic partnership will remain intact and will still be on file with the Office of Vital Statistics and Registry after you enter into marriage.

Will my New Jersey Civil Union automatically convert to a marriage or must I receive a marriage license and thereafter engage in a marriage ceremony in order to be married in New Jersey?

Civil Unions will not automatically convert to marriages. Civil unions remain valid and couples may continue to enter into civil unions if they so choose. A civil union couple will have to apply for and receive a marriage license and thereafter engage in a marriage ceremony in order to receive a marriage certificate.

If a same-sex couple that legally wed in another state, and is therefore legally married in New Jersey, wishes to renew their marriage commitment in New Jersey, would the couple be entering into a marriage or a remarriage?

The couple would be entering into a remarriage. Any couple married outside of the State that wishes to renew their marriage commitment in New Jersey may do so by applying for and receiving a remarriage license and thereafter engage in a remarriage ceremony, as set forth at N.J.S.A. 37:1-7; the 72 hour waiting period does not apply to remarriages. But, the out-of-state marriage is valid here, so there is no need to re-marry unless the couple wants.

If I am currently in a civil union and wish to apply for a marriage license with my current civil union partner, must I wait 72 hours before receiving my marriage license? Should I apply for a marriage license or a remarriage license?

All individuals, including those already in a civil union, who apply for marriage licenses must comply with the 72 hour waiting period unless a New Jersey Superior Court Judge enters an order waiving the wait period due to emergency circumstances. Couples who are currently in a civil union and have not entered in a valid marriage outside of this State must apply for a marriage license, not a remarriage license.

How to Get Married in New Jersey

www.state.nj.us/health/vital/marriage_apply.shtml

For two persons to establish a Marriage in this State, they must:

1. Not be a party to another civil union, domestic partnership or marriage in this State or recognized by this State;
2. Be at least 18 years of age, except that applicants under the age of 18 may enter into a Marriage with parental consent.

Where / how to apply:

1. The marriage license application is to be made in the New Jersey municipality in which either party resides and the license is valid throughout the State of New Jersey. Complete this application and bring it unsigned to the Local Registrar: www.state.nj.us/health/vital/marriage_apply.shtml
2. If neither applicant is a New Jersey resident, then submit the application in the municipality where the marriage ceremony will be performed: www.state.nj.us/health/vital/regbycnty.shtml Contact the Local Registrar to determine if you need an appointment.
3. Requirements:
 - a. Driver's license, passport or state/federal I.D.
 - b. Proof of your residency
 - c. Your social security card or social security number
 - d. A witness, 18 years of age or older.
 - e. A \$28 fee.
4. Processing:
 - a. Once you submit your application, there is a 72-hour waiting period.
 - b. The application is valid for 6 months. Once the license is issued by the registrar, it is valid for 30 days.
 - c. You must have two witnesses sign the license at the ceremony.
 - d. Within 5 days after the ceremony, the officiant must send the license to the registrar in the municipality where the wedding occurred. This may be a different municipality from that which issued the license.
 - e. Certified Copy. Remember to ask the registrar how to obtain a certified copy of your marriage license; you will not receive one automatically.

Remarriage: Individuals who are currently in a marriage in New Jersey or are in a marriage in another state or country may reaffirm your relationship / vows by registering a Remarriage. You must provide proof of your existing marriage, meet the requirements for entering into a marriage in New Jersey and follow the guidelines above. There is no 72-hour waiting period.

Who can perform marriages in New Jersey? What are some tips for preparing a same-sex ceremony? www.state.nj.us/health/vital/faq.shtml#MAR

Ministers of every religion (among others) may officiate at weddings. The UUA has resources available to help: www.uua.org/documents/lgbtq/weddingguide.pdf