

## INSTRUCTIONS FOR AFFIDAVIT OF ABSENT APPLICANT

If an applicant is unable to appear personally before the county clerk to apply for a marriage license, any adult person or the other applicant may apply on behalf of the absent applicant. [ *Family Code, Section 2.006* ]

**PLEASE READ CAREFULLY:** The applicant that will not appear in person to apply for the marriage license must complete **all blanks** on the affidavit of absent applicant and sign the affidavit in the presence of a Notary Public. **If all blanks are not complete or the affidavit is not notarized it will not be accepted by the clerk.**

The clerk may not issue a marriage license for which both applicants are absent unless the person applying on behalf of each applicant provides to the clerk an affidavit of the applicant declaring that the applicant is:

1. A member of the armed forces of the United States stationed in another country in support of combat or another military operation. [ *Family Code, Sec. 2.006* ]

The person applying on behalf of an absent applicant shall provide to the clerk:

1. The party who will **not** be able to appear before the Clerk must complete and sign the Affidavit of Absent Applicant.
2. Names of both parties must be printed exactly as they appear on the identification used to obtain the Marriage License.
3. An acceptable form of identification for the absent applicant may include any of the following: [ *Family Code 2.005(b)* ]
  - State Issued I.D. Card
  - Valid Passport
  - Driver's License or Copy of Front and Back of License. (Must be legible)
  - Military I.D. Card or Copy of Front and Back of License. (Must be legible)
  - Copy of Inmate I.D. Card. (Must be legible and have date of Birth and I.D. Number)
  - Certified copy of Birth certificate and valid photo ID
4. An altered document **will not** be accepted as proof of identity.
5. **The ID for the absent applicant may be a legible photocopy.**
6. **The ID for the party appearing before the Clerk must be original.**

The fee for the marriage license is \$82.00 cash or credit card. (No checks accepted.)

- The notary must sign and seal the affidavit.
- The affidavit will expire 30 days from the date it is signed and notarized.
- The marriage license must be obtained within 30 days from the notarized date.
- The other party must appear in the Clerk's office at least 72 hours but not more than 90 days prior to the ceremony.
- It is the applicant's responsibility to set up the appointment with the person who will be conducting the ceremony.

### **PROXY INFORMATION**

The only absent applicants that can list a proxy on their affidavit are those that are a member of the armed forces of the United States stationed in another country in support of combat or another military operation. [ *Family Code, Sec. 2.007* ]

If the absent applicant will be unable to attend the ceremony and he/she must appoint **one adult**, other than the other applicant, to act as proxy for the purpose of participating in the ceremony. There can **only be one proxy** listed and cannot be changed once the affidavit is notarized. The proxy is not required to appear at the time the marriage license is issued.

**WARNING: THE PENALTY FOR KNOWINGLY MAKING A FALSE STATEMENT CAN BE 2-10 YEARS IN PRISON AND A FINE OF UP TO \$10,000. (HSC, SEC. 195.003)**

CC Form Revised 3/13/2015