



POLK COUNTY, TEXAS

**SCHELANA HOCK
POLK COUNTY CLERK**

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Livingston, Texas 77351

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INSTRUCTIONS FOR COMPLETING AN ABSENT APPLICANT AFFIDAVIT

The attached Affidavit of Absent Applicant is to be used to apply for a Marriage License when one party is unable to appear in the County Clerk's office. Please read the following instructions carefully before completing the affidavit.

1. The party who will not be able to appear in the County Clerk's office must complete and sign this form in the presence of a notary public. ALL BLANKS ON THE FORM MUST BE COMPLETED.
2. The name of both parties must be printed exactly as they appear on the identification that is used to obtain the Marriage License. The notary must sign and seal the affidavit.
3. The other party must then appear in any of the County Clerk's offices at least 72 hours, but not more than 90 days prior to the ceremony. They must present:
 - (a) A driver's license or identification card issued by this state, another state, or a Canadian province that is current or has expired not more than two years preceding the date the identification is submitted to the county clerk in connection with an application for a license.
 - (b) A United States passport
 - (c) A current passport issued by a foreign country or a consular document issued by a state or national government
 - (d) An unexpired Certificate of United States Citizenship, Certificate of Naturalization, United States Citizen Identification Card, Permanent Resident Card, Temporary Resident Card, Employment Authorization Card, or other document issued by the Federal Department of Homeland Security or the United States Department of State including an identification photograph
 - (e) An unexpired military identification card for active duty, reserve, or retired personnel with an identification photograph
 - (f) An original or certified copy of a birth certificate issued by a bureau of vital statistics for a state or a foreign government
 - (g) An original or certified copy of a Consular Report of Birth Abroad or Certificate of Birth Abroad issued by the United States Department of State
 - (h) An original or certified copy of a court order relating to the applicant's name change or sex change
 - (i) School records from a secondary school or institution of higher education
 - (j) An insurance policy continuously valid for the two years preceding the date of the application for a license
 - (k) A motor vehicle certificate of title
 - (l) Military records, including documentation of release or discharge from active duty or a draft record
 - (m) An unexpired military dependent identification card
 - (n) An original or certified copy of the applicant's marriage license or divorce decree
 - (o) A voter registration certificate
 - (p) A pilot's license issued by the Federal Aviation Administration or another authorized agency of the United States
 - (q) A license to carry a concealed handgun under Subchapter H, Chapter 411, Government Code
 - (r) A temporary driving permit or a temporary identification card issued by the Department of Public Safety; or
 - (s) An offender identification card issued by the Texas Department of Criminal Justice
4. The Marriage License is \$82.00. Our office will accept Cash, Cashier's Check or Money Order
5. If more information is needed, please contact the office where you will purchase the license.

Effective September 1, 2009 All Absent Applicant applications must be notarized, regardless of whether the absent applicant is incarcerated or not. *The Texas Family code 2.006(b)1)*

**INSTITUTIONAL DIVISION OF TDCJ – APPLICATION FOR
MARRIAGE LICENSE**

PLEASE READ CAREFULLY

The **DECLARATION IN SUPPORT OF PROXY** is to be used to apply for a Marriage License when one party is unable to appear in the County Clerk's Office due to incarceration at the Texas Department of Criminal Justice, Institution Division. Please read the following instructions carefully before completing the Declaration. Print or type all information that is requested on the attached Declaration. The absentee party must return the completed Declaration and Statement to the party they wish to marry. **Both parties desiring to marry must be in full compliance with the information that follows, or the application will be denied.**

1. The party who will not be able to appear in the County Clerk's Office must complete and sign this form. **All blanks on the form must be completed by the person signing.**
2. The names of both parties must be printed **exactly** as they appear on the identification that will be used to obtain the Marriage License. The absentee person must complete **ALL** of the information requested on the form and must sign.
3. Applicant must then appear in any County Clerk's Office in the State of Texas at least 72 hours, but not more than 90 days prior to the ceremony. The applicant must present an acceptable form of identification such as: Certified Copy of birth certificate, valid driver's license, Military ID, valid ID issued from the Department of Public Safety, valid passport, certification of school records, any valid license issued by the State of Texas, valid voter registration that shows date of birth, county owned hospital records, or naturalization papers.
UNDER NO CIRCUMSTANCES WILL WE ACCEPT AN ALTERED DOCUMENT AS PROOF OF IDENTITY. WE MUST HAVE THE ORIGINAL DOCUMENT OR A CERTIFIED COPY.
4. If either party has been divorced within the last 30 days, please contact the County Clerk's Office for more information.
5. If either party is under the age of 18 years, please contact the County Clerk's Office for more information.

**DECLARATIONS IN SUPPORT OF PROXY EXPIRE 30 DAYS FROM
DATE OF SIGNING**

OFFICE HOURS: _____ **MONDAY THROUGH FRIDAY**

PHONE #: _____

PLEASE ALLOW AT LEAST 30 MINUTES TO ISSUE LICENSE



THE STATE OF _____ COUNTY OF _____

AFFIDAVIT OF ABSENT APPLICANT FOR MARRIAGE LICENSE

The form and content of this affidavit is prescribed by section 2.007 of the Texas Family Code.

Name of Absent Applicant (First, Middle, Last)		Maiden Surname (If applicable)
Address (Street, city, state, zip)		
Date of Birth	Place of Birth (including city, county and state)	
Social Security Number	Citizenship	

I have not been divorced within the last 30 days. TRUE FALSE

I am not presently married. TRUE FALSE

I am currently married to the other applicant. TRUE FALSE

I am presently delinquent in the payment of court ordered child support.
 TRUE FALSE

The other applicant is not presently married TRUE FALSE

I am not related to the other applicant as: TRUE FALSE

- an ancestor or descendant, by blood or adoption;
- a brother or sister, of the whole or half blood or by adoption;
- a parent's brother or sister, of the whole or half blood or by adoption;
- a son or daughter of a brother or sister, of the whole or half blood or by adoption;
- a current or former stepchild or stepparent; or
- a son or daughter of a parent's brother or sister, of the whole or half blood or by adoption;

I desire to marry:

Name of Other Applicant (First, Middle, Last)		
Maiden Surname if Other Applicant is Female	Age	Approximate date on which the marriage is to occur
Address (Street, city, state, zip)		

The Reason I am unable to appear personally before the county clerk for the issuance of the license:

THE FOLLOWING SECTION CAN ONLY BE COMPLETED BY MEMBERS OF THE ARMED FORCES OF THE UNITED STATES STATIONED IN ANOTHER COUNTRY IN SUPPORT OF COMBAT OR ANOTHER MILITARY OPERATION WHO ARE UNABLE TO ATTEND THE CEREMONY:

Name of adult person, other than the other applicant, to act as proxy for the purpose of participating in the ceremony:

I SOLEMNLY SWEAR (OR AFFIRM) THAT THE INFORMATION I HAVE GIVEN IN THIS DECLARATION IS TRUE AND CORRECT. I AM AWARE THAT MAKING A FALSE STATEMENT ON THIS DOCUMENT IS PUNISHABLE TO UP TO 2 TO 10 YEARS IN PRISON AND UP TO A \$10,000 FINE [HSC §195.003]

Your Signature: _____

Date: _____

Signature of Notary		(Seal)
Printed Name and Title:		
Subscribed and sworn before me on:	Expiration date of Commission:	