

County of Santa Cruz

COUNTY CLERK / ELECTIONS

701 Ocean Street, Room 310, Santa Cruz, CA 95060-4076
831-454-2060 Toll-free: 866-282-5900 FAX: 831-454-2445 TDD: 711
E-mail: info@votescount.com Web Sites: www.sccoclerk.com & www.votescount.com

Gail L. Pellerin, County Clerk
Tricia Webber, Assistant County Clerk

Deputy Commissioner of Civil Marriages for a Day Program

Information Packet & Application by Mail

Do you have a friend or family member who you would like to perform your marriage ceremony at your chosen venue? If so, we may be able to assist you. Pursuant to Section 401(a) & (b) of the California Family Code, the County Clerk is designated as the Commissioner of Civil Marriages for Santa Cruz County, and may at their discretion appoint Deputy Commissioners of Civil Marriages to perform civil marriage ceremonies. There is no residency requirement and commissioners may perform the marriage ceremony anywhere in the State of California.

Applications for appointment as a Deputy Marriage Commissioner for a Day should be submitted well in advance of the wedding so that you will be assured to have your documents on time for the ceremony. Your Certificate of Appointment, Information, and Instructions on how to perform a marriage will be mailed to you.

Prior to the marriage ceremony the following requirements must be met by the person requesting an appointment as a Deputy Marriage Commissioner for a Day:

1. Must be at least 18 year of age and provide valid, government issued photo identification at the time of application to be sworn in. (California Family Code 400)
2. Mail your completed and notarized application for appointment as a Deputy Marriage Commissioner for a Day at least a month in advance of the ceremony. The request must include the names of the parties to the marriage, as will appear on their marriage license, the exact date of the ceremony, and the name, address and phone number of the applicant/officiate. The application is on page 2 of this form. It must be notarized. Please include the fee by check or money order, made payable to the County Clerk, and a self addressed, stamped envelope with your application.
3. Fee: \$120, payable by cash, check or money order to the County Clerk to be submitted with the application.

Deputy Marriage Commissioner for a Day - Santa Cruz County

Application by Mail

Fee: \$120

I am at least 18 years of age. I hereby request appointment as a Deputy Marriage Commissioner for the following wedding:

Please print or type clearly.

Name of Applicant: _____
First, Middle, Last

Address where you live: _____
Street number & name

City State Zip Code

Telephone Number: _____

Date of Marriage: _____
Month, Day and Year

Who is getting married?

Name of First Person: _____
As it will appear on the marriage license

Name of Second Person: _____
As it will appear on the marriage license

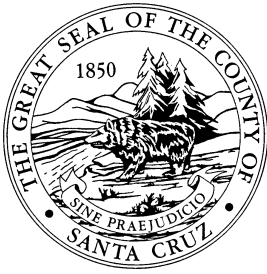
Please read carefully

I have read and received the above instructions and acknowledge that my powers as a deputy are expressly limited. By accepting this appointment I am subject to any applicable laws during the tenure of this appointment. Deputy Commissioners serve at the will of the County Clerk and Commissioner of Civil Marriages. No employment relationship is created by virtue of this appointment as a deputy commissioner of civil marriages to solemnize a marriage in California. Any injuries incurred during the private performance of marriage ceremonies will not be eligible for coverage under the County's Worker Compensation Program. Furthermore, I understand that my performance of marriage ceremonies outside the County Clerk's Office is not a county activity and I alone will be responsible for any injuries I might cause to third parties and agree to indemnify and defend Santa Cruz County and its County Clerk against any claims for injuries caused or alleged to have been caused by my performance of the marriage ceremony.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Applicant's Signature

Date



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Deputy Marriage Commissioner for a Day Oath or Affirmation

I, _____, do solemnly swear (or affirm) that I will

Print or Type Name

support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Signature of Applicant

Date

Notary Certificate of Acknowledgement

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document which this certificate is attached and not the truthfulness accuracy, or validity of that document.

State of California, County of _____

On _____, before me _____,
Insert name and title of the officer

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within the instrument and acknowledged to me the he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument.

I certify under Penalty of Perjury under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature _____ (Seal)

Instructions for the Ceremony & Completion of the Marriage License

A Deputy Commissioner of Civil Marriages may solemnize one marriage under the direction of the Commissioner of Civil Marriages and under **all** of the following conditions and limitations. Please read these instructions before applying for your commission and before performing the ceremony.

- The marriage may only be solemnized on the dates specified on the face of the Appointment and Oath of Office form. The parties to the marriage must present a marriage license to the deputy prior to the ceremony as stated in Family Code 421. Solemnizing a marriage without first being presented with a marriage license, willfully making a false return of any marriage license or pretend marriage license to the county recorder is guilty of a misdemeanor under Penal Code Section 360.
- Do not use white out, correction fluid, or make **any** corrections or changes if a mistake has been made. The license cannot be recorded if altered in any way. If there is a mistake, please notify the County Recorder when returning the marriage license. A duplicate license must then be issued for an additional fee.
- Use black ink or dark blue ink only. The Deputy must fill in the following on the license: the date, city/town, and county of the solemnization (ceremony), his/her signature and printed name, official title and address
- This will be a civil commission, therefore there is no religious denomination and you should enter one dash mark in the field requesting this information (Box 29B). Your official title, to be entered into Box 29D, is Deputy Commissioner of Civil Marriages and can be reduced to: Dep. Comm. Of Civil Marr.
- The Deputy Commissioner must have at least one, and no more than two witnesses sign the Public Marriage License (VS117), using black or dark blue ink only.

No witness is required to sign a Confidential Marriage License (VS123).

- No particular form for the marriage ceremony is required; however, the parties to the marriage must declare in the presence of the deputy that they take each other as spouses. You will be provided with a sample civil marriage ceremony.
- When completed, it is the Deputy Marriage Commissioner's responsibility to return the marriage license to the County Recorder within 10 days of the ceremony. Confidential marriage licenses are to be returned to the County Clerk within 10 days of the ceremony. Failure to return a license for recording is a misdemeanor pursuant to Health and Safety Code 103785.
- The Deputy shall not receive any money or anything of value for performing a marriage ceremony.

California Family Code 421: Before solemnizing a marriage, the person solemnizing the marriage shall require the presentation of the marriage license. If the person solemnizing the marriage has reason to doubt the correctness of the statement of facts in the marriage license, the person must be satisfied as to the correctness of the statement of facts before solemnizing the marriage. For this purpose, the person may administer oaths and examine the parties and witnesses in the same manner as the county clerk does before issuing the license.

California Health and Safety Code 103785: Every person who is required to fill out a certificate of birth, fetal death, or death, or marriage license and register it with the local registrar, or deliver it, upon request, to any person charged with the duty of registering it, and who fails, neglects, or refuses to perform that duty in the manner required by this part is guilty of a misdemeanor.

California Penal Code 360: Every person authorized to solemnize any marriage, who solemnizes a marriage without first being presented with the marriage license, as required by Section 421 of the Family Code; or who solemnizes a marriage pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family Code without the authorization required by that part; or who willfully makes a false return of any marriage or pretended marriage to the recorder or clerk and every person who willfully makes a false record of any marriage return, is guilty of a misdemeanor.