

Marriage Equality

coming February 21, 2014

Beginning February 21, 2014, the Clerk's Office will offer marriage licenses to same-sex couples. The information below will help guide you through the process and answer your questions.

When will same-sex couples be able to get married in Illinois?

Marriage licenses will be available from county clerks beginning February 21, 2014. Marriage licenses are valid from the calendar day after they are issued, for a period of 60 days. For example, if you get your marriage license on February 21, you can get married on February 22.

Who is eligible to get a marriage license?

Under Illinois law, only eligible persons can marry. Two people are eligible to marry if they are:

- 18 years of age or older
 - Exception: Applicants who are 16 or 17 may marry with parental consent and proof of birthdate
- Not blood relatives (with minor exceptions)
- Not already legally married to someone else or each other

Where do we get our marriage license?

Couples planning to marry in Cook County can apply for a marriage license at any of the Cook County Clerk's six locations. The clerk's office locations are in downtown Chicago, and the courthouse buildings in Skokie, Maywood, Rolling Meadows, Bridgeview and Markham.

How much does a marriage license cost?

A marriage license costs \$60. Couples in civil unions will have the fee waived.

Can we apply for our marriage license online or by mail?

Couples must appear together in person to apply for a marriage license at one of the Cook County Clerk's six locations. Couples must present valid identification with proof of age and pay a fee (if applicable). The marriage license will be issued while you wait.

What paperwork do we need to get our marriage license?

Each applicant must provide the following ID(s) when applying for a marriage license.

One form of ID if submitting one of the following:

- State driver's license
- State identification
- U.S. passport
- U.S. Armed Forces identification card

- OR -

Any combination of two of these forms of ID:

- Certified copy of Birth Certificate (English translations required for foreign certificates must be notarized)
- U.S. naturalization certificate
- U.S. resident alien card
- Life insurance policy (at least 1 year old)
- Foreign passport
- Baptismal record (date of birth must appear)
- Consulate identification card (matricula)

If a previous marriage or civil union was dissolved by divorce, what information must I provide?

Applicants who have divorced from a marriage or civil union must provide the date the divorce was finalized upon applying for a marriage license. Applicants who have divorced within the last six months must also provide a certified copy of their divorce decree.

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Marriage Equality FAQs

What happens to civil unions?

Civil unions will continue to be offered to both same-sex and opposite-sex couples in Illinois. You can either keep your civil union or convert it to a marriage. Civil unions will not automatically dissolve because of the new law nor do you need to take any action prior to applying for a marriage license, if you choose to do so.

How do we convert our civil union to a marriage?

Couples who wish to convert their civil unions to marriages have two options:

1. Apply for a marriage license and have a marriage ceremony within 60 days of application. The \$60 marriage license fee will be waived.
2. From June 1, 2014 to May 31, 2015, a couple can convert their civil union into a marriage. That marriage will be effective from the date of their original civil union. Simply apply for a marriage license and request to use the date of your civil union as your date of marriage. In this instance, the couple will immediately sign the license, without needing a ceremony. There is no fee within the first year of the new law.

We're happy with our civil union. Do we have to switch it to a marriage or can we keep our civil union?

No. Same-sex or opposite-sex couples in a civil union will not be required to convert it to a marriage. Your civil union is still legal and valid.

We had our civil union in a different county but plan to get married in Cook County. Will the fee still be waived?

Yes, the fee is waived no matter where in Illinois you got your civil union license.

If we live in a different state, can we get a marriage license in Cook County?

If you get a marriage license in Cook County, the marriage ceremony must occur in Cook County within 60 days. If you live outside Illinois at the time of your marriage and intend to continue living outside Illinois following your marriage, we advise that you speak with an attorney – prior to getting a marriage license – about whether your marriage will be valid.

We were already married in another state that allows same-sex marriage. Do we need to get another license in Illinois or have a ceremony in Illinois?

No. Out-of-state marriages of same-sex couples will now be recognized as a marriage in Illinois.

When can we get a copy of our marriage certificate?

Marriage certificates are not automatically sent to couples. If you have a marriage ceremony, your officiant completes and signs the marriage license and returns it to the Clerk's office. The Clerk's office then records your marriage and can issue a certified copy of your marriage certificate. The turnaround typically takes about a week. If you convert your civil union to a marriage, marriage certificates should be available immediately.

What types of marriage certificates are available?

There are three types of marriage certificates.

- A standard marriage certificate costs \$15 for the first copy and \$4 for each additional copy.
- A set of two wallet-sized certificates are \$15. Wallet-sized certificates are certified legal copies.
- Commemorative art-quality certificates are printed on canvas and available in nine designs for \$65, including a certified legal copy.

Who can officiate a marriage?

An officiant can be a judge, a religious leader, or an individual who is ordained by a non-denominational organization.

What do we need to do to get married by a judge?

Judges will officiate same-sex marriages in Marriage Court at City Hall, 119 W. Randolph St., Lower Level, Chicago. The hours are Monday through Friday from 9 a.m. to Noon and 2 to 4 p.m., and Saturdays from 9 a.m. to Noon. No appointment is required. There is a \$10 fee. Judges at the suburban Cook County courthouses also perform marriages, but procedures vary by location. Please contact the specific courthouse.

Can we get married in a church, synagogue or other house of worship?

According to the Religious Freedom and Marriage Fairness law, places of worship and any facility operated by a religious group or denomination have the discretion on whether or not to solemnize same-sex marriages.

What if we want to change our names after we're married?

Newlyweds are entitled to a one-time change of their last name after they are married. You will need copies of your marriage certificate when seeking a name change with Social Security, the Illinois Secretary of State (for driver's licenses), your employer, banks, credit cards, etc.



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