

## INSTRUCTIONS FOR COMPLETING ABSENT APPLICANT AFFIDAVIT

The **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. **The absent party may appoint someone to stand in their place at ceremony as the Proxy ONLY IF ABSENT APPLICANT IS ACTIVE DUTY MILITARY AND STATIONED OVERSEAS.** Please read the following instructions carefully before completing the Affidavit. Print or type all information that is requested on the attached Affidavit and Statement. **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 this form and sign in the presence of a Notary Public.
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.
3. If absent applicant is **ACTIVE DUTY MILITARY AND STATIONED OVERSEAS** and will be unable to attend the ceremony, the appointment of any adult, **EXCEPT THE OTHER APPLICANT**, to act as proxy for the purpose of participating in the ceremony.
4. Marriage License must be purchased at any County Clerk's Office in the State of Texas at least 72hrs before the ceremony, but no more than 90 days before. (ACTIVE DUTY MILITARY PERSONNEL ARE EXEMPT FROM 72 HR WAITING PERIOD)
5. Applicant and Proxy must appear in the Clerk's Office. IDENTIFICATION must be provided for all parties. Applicant and Proxy may provide a valid Driver's License, Military ID, Passport or any other Identification issued by the U.S. Government or any other government. Identification for the **absent applicant** must consist of the **ORIGINAL** of one of the documents already mentioned **or** a copy of one of those documents **along with a CERTIFIED COPY OF THEIR BIRTH CERTIFICATE.** A "notarized" birth certificate will not be accepted neither will the Mexican Matricula.
6. Active Duty Military Personnel are exempt from the 72 hour waiting period, but must still comply with all other aspects of application.
7. The fee is \$71.00 cash, credit or debit. If paid with credit there will be a service fee. Couples who participate in premarital counseling through a certified Texas Health and Human Services Commission provider called Twogether in Texas must present their certificate of course completion at the time they apply for the marriage license; the certificate must be used within 1 year of issuance. The cost of the marriage license to applicants who have attended the above mentioned premarital counseling is \$11.00 and the 72 hour waiting period is waived.
8. If either party has been divorced within the last 30 days, please contact the Clerk's Office for more information
9. If either party is under 18 years of age, please contact the Clerk's Office for more information.

**AFFIDAVITS EXPIRE 30 DAYS FROM THE DATE OF NOTARY ACKNOWLEDGMENT  
ORIGINAL AFFIDAVIT MUST BE PRESENTED TO THE COUNTY CLERK**

**PLEASE ALLOW APPROXIMATLY 20 MINUTES FOR ISSUANCE OF THE MARRIAGE LICENSE.**

**WALLER COUNTY CLERK'S OFFICE  
836 AUSTIN ST., SUITE 217  
HEMPSTEAD, TX 77445**

**HOURS OF OPERATION  
Monday –Friday  
8:00 am-4:30pm**



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, Suffix)		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 not 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, Suffix)		
Maiden Surname (If applicable)	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:	