

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.

The clerk may not issue a marriage license for which both applicants are absent unless the person applying on behalf of each absent 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. [Texas Family Code, Sec. 2.006]

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

1. The affidavit of the absent applicant as provided (must be complete or it will not be accepted by clerk).
2. Proof of identity and age of the absent applicant (only original ID is acceptable; no copies).
3. If required, because the absent applicant is a person recently divorced within less than 30 days, a court order/divorce decree establishing that a prior marriage has been dissolved and that the absent applicant can marry within less than 30 days of the order being signed must be presented to the clerk.
4. The affidavit **will expire 30 days** from the date it is signed and notarized.

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 applicant that will appear to apply for the marriage license must bring identification for themselves and the absent applicant. **ONLY ORIGINAL IDENTIFICATION WILL BE ACCEPTED; NO COPIES.** Acceptable forms of identification are as follows: driver's license, certified copy of birth certificate, military ID or some certificate, license, or document issued by this state or another state, the United States, or a foreign government.

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. [Texas 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.