

## PROCEDURES FOR OFFENDER MARRIAGES

All offenders assigned to the Department of Corrections may request to marry while incarcerated. They will be assisted by designated staff. The following prerequisites apply:

1. A written request of intent must be made to the chaplain at facilities or at community corrections centers, the case manager IV, by the offender, at least 90 days prior to the desired wedding date.
2. The fiancé(e) must be informed of all sentence information and complete their section of the application.
3. The fiancé(e) must be on the offender's approved visiting list for at least six months prior to submitting the request for marriage. There must be no restrictions on the fiancé(e)'s visiting status.
4. At the courthouse, the offender and fiancé(e) must provide documents that indicate age, such as a driver's license, state I.D., or certified birth certificate.
5. The offender and fiancé(e) must participate in pre-marital counseling conducted by the chaplain or another approved person. Any cost or expense for pre-marital counseling provided by other than DOC staff is to be paid by offender's fiancé(e).
6. Where agency records indicate a previous marriage, including license or common law, a divorce decree must be attached.
7. Approval of request must be signed by the appropriate staff personnel.
8. The offender and fiancé(e) must sign the marriage record book at the Court Clerk's office. The license is valid for ten days. Marriage application fee is to be paid by the fiancé(e) of the offender at the court house when the marriage book is signed.
9. The offender is responsible for paying to the facility all costs incurred, including transportation of the offender to the Court Clerk's Office. The fee must be paid by disbursement prior to transportation to obtain the marriage license.
10. It will be the responsibility of the offender or fiancé(e) to provide a certified minister to perform the ceremony.
11. When the prerequisites have been met and approval granted, the marriage ceremony will be added to the next scheduled day for ceremonies and conducted in a place designated by the facility. The wedding will be restricted to a simple and informal ceremony with the number of guests determined by facility. All visiting room rules will apply and all outside guests must be on the approved visiting list. Visiting time is limited to 30 minutes after the ceremony, if the marriage ceremony does not take place during regular visitation or holiday.
12. The offender will wear regular state-issued clothing during the ceremony.
13. Both parties must have the mental capacity to enter into a marriage.