



# Getting Married Abroad



**Please note that this Information Paper only provides basic information and is not intended to serve as a substitute for personal consultations with a Legal Assistance Attorney.**

## HOW TO GET MARRIED IN GERMANY

### General Procedure

- a. Germany requires a mandatory civil wedding at the Office of Vital Statistics ("Standesamt"), in the Town Hall ("Rathaus"). All marriages performed in Germany under German law are recognized in the United States.
- b. If you contemplate getting married in Germany you have to visit the "Standesamt" to give notice of the impending marriage ("Antrag auf Eheschließung"). Your fiancé(e) does not have to accompany you if he or she has given a power of attorney in the German language to you for the registering process. Call the "Standesamt" to verify opening hours and to receive a detailed list of all documents required. At the time you turn all the assembled documents in, a registrar's fee has to be paid (approximately 50 Euros). Then, a transfer form has to be filled out and the court fees have to be paid. According to Article 14 of the SOFA Supplementary Agreement the court fees for the exemption from the production of a certificate of eligibility to marry is set at 25 Euros. The fees can be paid at the Higher Regional Court, or at a German bank or Post Office. Unless both persons to be wed speak German fluently, you will need to bring a translator with you when you give notice of the marriage and for the ceremony.

### Necessary Documents

Once you have all papers turned in, then it will only be 6-8 weeks before you can get married. You have to get married within the following 6 months. Most of the non-German documents need to be furnished to the "Standesamt" in a certified copy and a translated version. You will need at least the following documents:

- (1) PASSPORT. Military I.D. Cards are not always accepted. If a soldier does not have a United States passport, the "Standesamt" requires an affidavit stating that the applicant is an American citizen done in front of a notary public either at your local OSJA or the U.S. General Consulate. If your name has been legally changed since the issuance of your birth certificate or passport, you should present an official court decree to this effect.
- (2) BIRTH CERTIFICATE. It should state your parents' names ("Abstammungsurkunde mit Elternangabe"). You will also need birth certificates for any children you may have had with your fiancé.
- (3) RESIDENCE PERMIT. If your fiancé(e) is not already subject to the NATO Status of Forces Agreement, he or she will need a residence permit ("Aufenthalts- oder Meldebescheinigung") from his or her hometown not older than 6 weeks.
- (4) STATEMENT OF BEING SINGLE. If you have never been married before, you will need to provide the "Standesamt" with an affidavit stating that you are single ("Ledigkeitsbescheinigung").
- (5) MARRIAGE QUESTIONNAIRE. It can only be obtained at the "Standesamt". It has to be completed and handed back in person to the "Standesamt".
- (6) POWER OF ATTORNEY TO REGISTER. If your fiancé(e) cannot be present when you register, then you need a written statement indicating that he/she agrees to the initiation of the registry process.
- (7) MISCELLANEOUS. The clerk at the "Standesamt" should provide you with any add'l documents.

## **Divorced, Widowed or Under 18 and other Problem Cases**

**DIVORCED.** The German authorities require the submission of a Certificate of Finality of Divorce. Your OSJA will be happy to assist you with this. Additionally, a certified copy of every dissolution of marriage is required. This usually costs \$15. Also, the marriage certificates from all previous marriages are required

Also, you may be required to present an affidavit in which you state your marital history. Finally, all these papers need to be officially translated into German as applicable. In total, you will need the following:

- (1) Certificate(s) of Finality of Divorce\*
- (2) Marriage Certificate(s) (of all previous marriages)\*
- (3) Certified copy of the divorce judgment(s)\*
- (4) Official translations of (1) through (3)

\* An Apostille of the Department of State is necessary for these documents

**WIDOWED.** Widowed persons must submit the death certificate of their former spouse. The death certificate must be either the original document or a signed and sealed copy issued by the governmental agency that officially registers deaths. Furthermore, it needs to be translated into German, too.

**UNDER 18.** Persons under 18 must submit a statement of consent from both parents. Should this statement of consent be signed by only one parent, evidence either of the death of the other parent or the guardianship of the signatory parent must be produced. If both parents are deceased, consent of the legal guardian must be obtained.

**FOREIGN FIANCÉ(E).** A foreign fiancé(e) not residing within a European Union (EU) country has to either apply for a VISA or enter without a VISA for up to 90 days(when possible). If the fiancé(e) is going to stay at your place during that time, he/she must register at your local town hall immediately and deregister once you are married! Until you are married, your fiancé is not subject to the NATO Status of Forces Agreement.

## **LOCAL ADDRESSES**

The mandatory civil wedding ceremony takes place at the local Office of Vital Statistics ("Standesamt"). It is located in the Town Hall ("Rathaus"), situated at the municipal administration ("Gemeindeverwaltung") or Town Management ("Stadtverwaltung"). Generally, you can choose between three "Standesämter":

- (1) the one where you are stationed
- (2) the one where you live and / or
- (3) the one where your fiancé(e) resides.

## **GERMAN DOMESTIC RELATIONS LAW**

Getting married to a German national may subject you to German family law - no matter where in the world the wedding ceremony is performed. Please contact your Legal Assistance Office with specific questions.

**FAMILY NAME.** Under German law you and your German spouse may choose a joint family name. The choice you make will be final and, therefore, the name can never be modified or changed again while you are married.

**PRE-NUPTIAL AGREEMENTS.** In order to be valid and enforceable, pre-nuptial agreements made in Germany need to be sealed and signed before a German Notary ("Notar").

**DIVORCE.** In the event that your marriage does not work out, you will be subject to German law if your spouse files for a divorce in Germany. German law requires child support and spousal support payments to be made.

## **HOW TO GET MARRIED IN DENMARK**

### **General Procedure**

The cities of Haderslev, Horsens, Padborg, Tønder, Vejle and Vojens allow you to get married within a couple of days, i.e. if you have all your paperwork ready. The Danish authorities charge a fee of roughly DKR 500 for their services plus the costs for a translator (Danish/ English/ German). You both will only need:

- (1) **PASSPORT.** Military I.D. Cards are not always accepted. If a soldier does not have a United States passport, the Danish authorities require an affidavit stating that the applicant is an American citizen done in front of a notary public either at your local OSJA or the U.S. General Consulate. If your name has been legally changed since the issuance of your birth certificate or passport, you should present an official court decree to this effect.
- (2) **BIRTH CERTIFICATE.** You will need an original birth certificate or notarized copy not older than 6 months. Birth certificates for any children you may have had with your fiancé(e) prior to the marriage will also have to be presented. The German partner needs to present an original birth-certificate.
- (3) **RESIDENCE PERMIT.** If your fiancé(e) is not already subject to the NATO Status of Forces Agreement, he or she will need a residence permit ("Aufenthalts- oder Meldebescheinigung") from his or her hometown not older than 6 weeks.
- (4) **LEAVE ORDERS** for Denmark if you are in the military
- (5) **MISCELLANEOUS.** Other additional documents as needed in your specific case.

If you are widowed, divorced or under 18, you need to go through a prior approval process with the appropriate Danish "Statsamt" (do not confuse it with the German word "Standesamt"!) which could easily take up to a month or even longer. Send only the required paper(s) to the "Statsamt" by registered mail and use a German return address. Upon approval the papers are returned and you can proceed with your marriage preparations.

Denmark neither requires a Visa for US citizens nor Germans or other citizens of the EU. However, citizens of Eastern European countries or other parts of the world should contact the Danish Consulate first.

If you decide to get married outside of Germany to a German national, then your spouse should immediately contact his/her "Standesamt" and have the marriage registered in Germany. If you are returning to the US to get married, you and your fiancé(e) will need to meet the requirements of the State in which you are to be married.

There are about 250 Offices of Vital Statistics in Denmark. You have to directly contact the office where you would like to get married and - if needed - the appropriate "Statsamt". It will do you no good if you contact one of the below listed addresses without having the intention to actually get married there:

The appropriate "Statsamt" is for:  
 Horsend and Vejle: Haderslev, Tondern, Vojens and Padberg  
 Vejle Statsamt Sonderjylland Statsamt  
 Vedelsgade 17 B H.P. Hansens Gade 42  
 DK-7100 Vejle DK-6200 Abenra  
 Tel.: 0045-75-82330-0 Tel.: 0045-74-313131

**DIVORCED.** Except for divorces from States where an interlocutory (temporary) decree had been issued prior to the issuance of the final decree, the Danish authorities require the submission of a Certificate of Finality of Divorce. Even if you were divorced years ago, the authorities will require such a certificate indicating the final dissolution of marriage. Additionally, a certified copy of the dissolution of marriage is required. This involves a small charge of \$15. In addition, the marriage certificate from the previous marriage has to be presented as well. If you have been married more than one time, the previous marriage certificates need to be presented as well.

Furthermore, you may be even required to present an affidavit in which you state your marital history. Finally, all these papers need to be officially translated into Danish. Excerpt translations of the divorce decree are accepted. Summed up, you will need the following:

- (5) Certificate of Finality of Divorce
- (6) Marriage Certificate (of all previous marriages)
- (7) Certified copy of the divorce judgment
- (8) Official translations of (1) through (3)

**WIDOWED.** Widowed persons must submit the death certificate and a Danish translation of the death certificate of their former spouse. The death certificate must be either the original document or a signed and sealed copy issued by the governmental agency which officially registers deaths.

UNDER 18. Persons under 18 must submit a statement of consent from both parents. Should this statement of consent be signed by only one parent, evidence either of the death of the other parent or the guardianship of the signatory parent must be produced. If both parents are deceased, consent of the legal guardian must be obtained. FOREIGN FIANCÉ(E). A foreign fiancé(e) not residing within a European Union (EU) country has to either apply for a VISA or may enter the country without a VISA (where possible). However, in either case he/she will be only allowed to stay in the country on a tourist visa basis for up to 90 days! If the fiancé(e) is going to stay at your place during that time, he/she must register at your local town hall immediately and deregister once you are married! Until you are married, your fiancé is not subject to the NATO Status of Forces Agreement. It is important that you start the registering process before your fiancé(e) comes into the country.

## HOW TO GET MARRIED IN SWITZERLAND

### General Procedure

The Swiss Canton of Basel offers a special service available for US NATO-personnel only, if you and your fiancé(e) are both US citizens and stationed here in Europe. You must first telephone the Basel Civil Office of Vital Statistics ("Zivilstandesamt") to obtain permission for submitting the required documents. They can be reached by phone from 8:00 - 11:00 and 14:00 - 16:00 hours at CIV 0041-61-267-9596. The address is:

Zivilstandesamt Basel-Stadt  
Rittergasse 11  
CH-4010 Basel  
Tel.: 0041-61-267-9596

### Necessary Documents

- (1) PASSPORT. Military I.D. Cards are not always accepted. If a soldier does not have a United States passport, the "Standesamt" requires an affidavit stating that the applicant is an American citizen done in front of a notary public either at your local OSJA or the U.S. General Consulate. If your name has been legally changed since the issuance of your birth certificate or passport, you should present an official court decree to this effect.
- (2) BIRTH CERTIFICATE. You will need an original birth certificate or notarized copy not older than 6 months. Birth certificates for any children you may have had with your fiancé(e) prior to the marriage will also have to be presented.
- (3) LEAVE ORDERS for Switzerland if you are in the military.
- (4) MISCELLANEOUS. Other additional documents as needed in your specific case.

If you are widowed, divorced or under 18, you need to go through a prior approval process.

All documents need to be provided in certified German translations. The waiting period after submission of all documents is approximately three weeks. The marriage ceremony itself normally takes place on a Tuesday. The fees, payable in Swiss francs, vary according to your needs.

### ARMY REGULATIONS

The two Army regulations pertaining to marriage of U.S. Army personnel abroad have been rescinded (AR 608-61 and AR 600-240). USAREUR Supplements relying on the basic regulations are no longer valid. Should your "Standesamt" have not been made aware of this yet, please contact the Legal Assistance Office at your OSJA. AE Form 1680, AE FL 1536-R and AE FL 1676-R are no longer issued.

For further information, please contact the Stuttgart Law Center, DSN 421-4152; CIV 0711-729-4152

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