

## Marriage in Europe

### Overview

Soldiers seeking to marry overseas face some different requirements than they would in the United States, including the administrative requirements of the intended country of their marriage and the admissibility of their intended spouse into the United States.

American service members in Europe most frequently choose to conduct marriages in Denmark and Germany. An overview of the process for each follows. Soldiers are urged to plan on several months for the process of overseas marriage, because a pending marriage is **not** grounds for an extension of the soldiers' DEROS or ETS date. Soldiers are also advised to visit their Legal Assistance office for advice, and to make sure that their intended marriage will be fully recognized in the United States. Vegas-style "quickie" marriages conducted abroad are risky because they may not be recognized in the United States.

Soldiers may get married in many countries and in the United States. This brochure offers information on the two most commonly performed marriages of US soldiers stationed in Germany: German marriages and Danish marriages.

### Marriage in Germany

Germany does not recognize common law marriages and requires a mandatory civil wedding ceremony before a marriage registrar (Standesamt). Both spouses must be present at the ceremony. A religious ceremony is optional but can only take place after the civil marriage. The processing of a marriage application usually takes from four to six weeks. All marriages performed in Germany according to the German law are recognized in the United States.

The Standesamt in Parsberg (09492-941826), Velburg (09182-93020), Hohenfels (09472-940122) and Neumarkt (09181-4700) are the local authority for marriages. Soldiers or civilians intending to get married have to visit one of these local Standesamts to give notice of the impending marriage. The clerk will provide a detailed list of all documents required for each specific case.

Soldiers will need a birth certificate not older than six months, military ID card and/or passport, Affidavit (also called Eidestattliche Erklarung, available in Legal Assistance), and Income Statement (LES). Non-US citizen fiancés need a birth certificate not older than six months, passport, and Valid Visa / Certificate of Residence (Aufenthaltsbescheinigung) from the Municipality / Town Hall (Amt fuer Einwohnerwesen). Soldiers should expect filing costs of between 50 and 100 euros. The soldier should also inquire whether their English documents must be translated and certified by a translator, or whether the Standesamt will accept their documents in English.

Soldiers can obtain their vital records, such as birth certificates, from the state where they are filed. This can be done online at [www.vitalrec.com](http://www.vitalrec.com). This usually takes about two weeks, and credit card payments are usually accepted. Many records cost about \$5.

Marriages in Germany may be delayed or not allowed because of incomplete records, criminal records of either party, or by prior divorce. The Standesamt will not allow a marriage of a previously married person if that person cannot give a strong demonstration that their prior divorce is complete and final.

### Marriage in Denmark

Advertised marriage vacation packages make Denmark a popular choice for soldiers who wish to get married in Europe. According to the Danish Marriage Act of 1969, and rules prescribed by the Danish Ministry of Justice, the following documents and declaration are required in order to be married in Denmark:

(1) Birth certificate, or valid U.S. passport.

(2) If one of the parties is under 18, permission to marry must be obtained from the proper administrative authorities (in Copenhagen the "Overpraesidium" – The Prefect of Copenhagen – and outside Copenhagen, the prefect of the county within which the parties are residing). Also, for parties under 18, evidence must be presented that the parents consent to the marriage.

(3) If one of the parties is under guardianship, documentation of the guardian's consent to the marriage must be presented.

(4) A declaration must be given to the effect that neither of the parties is related to the other by blood, through marriage, or through adoption.

If either of the parties has been previously married, proof must be submitted that such marriage has been dissolved. If a marriage has been dissolved in a foreign country, the Danish Ministry of Justice requires that the decree of divorce or annulment clearly shows that it is a FINAL decree, that no appeal has been filed, and that the parties are free to remarry. If not, the Ministry will demand that a statement to that effect be obtained by the party concerned from the appropriate court in the country where the marriage was dissolved. A statement from an American attorney as to the finality of the divorce is not normally accepted. This practice is strictly adhered to by the Ministry. If the previous marriage was terminated by death, a death certificate or a probate court certificate must be presented. Also, in the case of a previous marriage, evidence must be submitted that all community property, if any, has been legally divided.

NOTE: Danish officials have requested that persons who have been divorced and are contemplating remarriage in Denmark send copies of their divorce decree to the Domestic Relations Legal Office (Familiereftskontoret, Slotholmsgade 10, 1216 Copenhagen K, Denmark) one month in advance of the planned wedding date, for approval before traveling to Denmark. You will be advised whether the decree is acceptable or whether further clarifying documents are needed. Remember to bring the decree with you to Denmark in all cases.

Each party must declare whether he or she has any natural or adopted children, or is expecting children by another man or woman.

The Copenhagen marriage office advises that parties should plan to stay at least four days. If all documents are in order and submitted Monday between 9:30 a.m. and 3:00 p.m., the marriage can generally be held Thursday at 2:00 p.m.; if the documents are submitted Tuesday, the ceremony will take place on Friday, etc. Parties submitting documents on Thursday/Friday must wait to be married until the following Tuesday/Wednesday.

Women desiring to retain their maiden names should inform the marriage office at time of initial application for the marriage license.

The above-mentioned declarations are all contained in a form which may be obtained on application to the marriage office "Bryllupskontoret" City Hall, Raadhuspladsen, 1599 Copenhagen V, Denmark, telephone 0045-33-663366 or the city hall in the city where the marriage is to take place. The office will also furnish such additional information as may be needed.

It is emphasized in the form that anyone making a false statement or concealing a material fact in connection with the completion of the form, is subject to the penalties prescribed in the Danish Penal Code for such an offense, ranging from a fine to 4 months imprisonment.

For further information, contact:

American Embassy Copenhagen at 00-45-31-423144  
or Danish Consulate General in Frankfurt at (069)97090016

### **Other Considerations before Marriage**

If the intended spouse is an alien, the applicant should get INS Form I-130 and any documents needed to complete the form. The form will be completed after the marriage ceremony. Soldiers

are encouraged to read about immigration requirements and their considerations in a marriage before getting married.

Military members are encouraged to seek premarital advice and counseling from a local chaplain or ACS marriage counselor before getting married.

Disapproval of marriage applications is possible if the intended spouse is deemed inadmissible to the US, or based on the criminal record or security issues with either of the applicants.

Soldiers should get their military records updated after a marriage by getting their unit commander to write a memo to the 55<sup>th</sup> PSB stating that the soldier is now married. See your PSB representative for more information about changing records.

As a general rule of thumb, marriages are valid and recognized if they are legally valid in the country performed.