

AFFIDAVIT FOR LICENSE TO MARRY

STATE OF MICHIGAN

No. _____

COUNTY OF _____

The Undersigned, being duly sworn, depose(s) and say(s) that:

MALE

FEMALE

_____ and _____
FULL NAME OF MALE (First, middle, last) FULL NAME OF FEMALE (First, middle, last)

_____ DATE OF BIRTH _____ DATE OF BIRTH
PRESENT AGE

_____ STREET _____ STREET
RESIDENCE NO. RESIDENCE NO.

_____ STATE _____ STATE _____ ZIPCODE _____ ZIPCODE
CITY CITY

_____ TIMES PREVIOUSLY MARRIED _____ TIMES PREVIOUSLY MARRIED
RESIDENCE COUNTY RESIDENCE COUNTY

_____ and _____
FATHER'S FULL NAME FATHER'S FULL NAME

_____ and _____
FATHER'S BIRTHPLACE FATHER'S BIRTHPLACE

_____ and _____
MOTHER'S FULL NAME BEFORE 1ST MARRIED MOTHER'S FULL NAME BEFORE 1ST MARRIED

_____ and _____
MOTHER'S BIRTHPLACE MOTHER'S BIRTHPLACE

intend to marry and that this affidavit is made for the purpose of obtaining a marriage license; that each of the above-named persons is of the age required by law, that one or both of the parties is Indian, is not related to the other within the degree prohibited by statute and is of sufficient mental capacity to contract marriage; that said persons are acquainted with the laws of the State of Michigan and Bay Mills Indian community relative to marriage as summarized upon the back of this blank; that there is no legal impediment to said marriage; and that to the best knowledge and belief of the undersigned all of the foregoing statements are true.

Signature Male

Signature Female

Subscribed and sworn before me, Tribal Clerk, or a Notary Public in and for _____
County, Michigan, or person duly authorized by law to administer oaths, this _____ day of
_____ 20 _____

Signature Check one (Tribal Court Clerk) (Notary Public) (Other)

My commission expires _____

**SUMMARIES OF CERTAIN MICHIGAN MARRIAGE LAWS
AND CHAPTER XIV OF THE BAY MILLS INDIAN COMMUNITY TRIBAL CODE**

1402. MARRIAGE BETWEEN INDIAN PERSONS; LICENSE REQUIRED; ISSUANCE.

- A. No persons shall be married by the Tribal Chairman, or a judge of the Tribal Court unless they shall have a validly issued and effective marriage license.
- B. The Clerk of the Tribal Court or any Judge thereof, shall be authorized and empowered to issue a license to marry to any Indian male or female, whether or not they shall be enrolled members of the Bay Mills Indian Community, who desires to join with another in marriage. Such license shall be issued by the Tribal Court within three (3) secular days of the filing of an application for a marriage license, signed by both the man and woman seeking to marry, upon an application form to be prescribed by the Tribal Court and upon the payment of a license fee in an amount which shall from time to time be set by administrative order of the Court. Such license shall remain effective and valid for a period of 33 days after the period of issuance, and shall specify the person authorized to solemnize the marriage.

1404. ISSUANCE OF MARRIAGE LICENSES; QUALIFICATIONS OF APPLICATIONS.

No license for a marriage shall be issued by the Tribal Court for a marriage to be performed by a member of the clergy, the Tribal Chairman, or a judge of the Tribal Court unless at least one of the parties to the proposed marriage is an Indian person. No license to marry shall be issued by the Court where the marriage is to be performed by a medicine or spiritual leader (other than a member of the clergy, the Tribal Chairman or a Tribal Judge) unless both parties to the proposed marriage are Indian persons.

No license for marriage shall be issued by the Tribal Court for a marriage to be performed pursuant to this Ordinance unless the applicants for the license shall demonstrate to the Court's satisfaction that:

- A. The parties are a man and a woman; and
- B. The parties are at least 18 years of age, or if less than that age, comply with the parental consent requirements contained in Michigan law, as that may from time to time be amended; and
- C. The parties do not propose to marry a parent, child, sibling, stepparent, grandparent, grandchild, aunt, uncle, niece, or nephew; and
- D. Neither party is subject to court jurisdiction due to mental incapacity, or suffers from untreated syphilis or gonorrhea; and
- E. Each party has received counseling regarding the transmission and prevention of venereal disease and HIV infection and has been offered testing for these conditions, and documents counseling and test offering with a certificate to that effect signed by a physician or tribal health provider.

Solemnization of Marriage as in Section 1405, Qualifications required to perform Traditional Indian Marriages as in Section 1406, Procedure for Recognition of Marriage After Solemnization as in Section 1407, Marriage Certificate or Filing of the same in Section 1408 of the Bay Mills Indian Community Tribal Code.