

AFFIDAVIT FOR LICENSE TO MARRY

STATE OF _____

No. _____

County of _____

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

1st Party

2nd Party

Full Name of 1st Party (First, Middle, Last)

Full Name of 2nd Party (First, Middle, Last)

Last Name Before First Married, If Different

Last Name Before First Married, If Different

Present Age Date of Birth Birthplace

Present Age Date of Birth Birthplace

Address

Address

City State Zip Code

City State Zip Code

Residence County Number of Time Previously Married

Residence County Number of Time Previously Married

Father's Full Name

Father's Full Name

Mother's Full Name before 1st Married

Mother's Full Name before 1st Married

Father's Birthplace Mother's Birthplace

Father's Birthplace Mother's Birthplace

Full Name of 1st Party's Witness

Full Name of 2nd Party's Witness

Officiant Name & Title

Marriage Date

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 form; 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.

1st Party Signature

2nd Party Signature

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

Check one: Tribal Court Clerk [] Notary Public [] Other []

SUMMARY OF CERTAIN MARRIAGE LAWS OF CHAPTER XIV OF THE BAYMILLS INDIAN COMMUNITY TRIBAL CODE

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

- A. License Required. 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. License Issuance. The Clerk of the Tribal Court or any Judge thereof, shall be authorized and empowered to issue a license to marry to any member of a federally recognized Tribe, 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 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.

- A. Indian Applicant Required. No licenses 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 member of a federally recognized Tribe. 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 members of a federally recognized Tribe.

- B. Minimum Qualifications of Applicants. No license for marriage shall be issued by the Tribal Court for a marriage to be performed pursuant to this Chapter unless the applicants for the license shall demonstrate to the Court's satisfaction that:
 - 1. The parties are at least 18 years of age or older as evidenced by a birth certificate, or the parties are at least 16 years of age as evidenced by a birth certificate with the consent of a parent or legal guardian, which consent must be notarized, or the party has been emancipated by a court of competent jurisdiction;
 - 2. The parties do not propose to marry a parent, child, sibling, stepparent, grandparent, grandchild, aunt, uncle, niece, or nephew; and
 - 3. Neither party is subject to court jurisdiction due to mental incapacity.

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.