

HAPPILY EVER AFTER: ACLU CLOSES FILE ON MARRIAGE DISCRIMINATION COMPLAINTS

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Call (402) 476-8091 with questions

Following ACLU complaints that five counties had created requirements that effectively prevented non-citizens from getting a marriage license, all five counties have voluntarily cooperated to amend their policies.

ACLU originally discovered the discriminatory requirements from complaints by new immigrants who were turned away from getting married. "Some people were turned away because they didn't have a Social Security Number. Some were turned away because they only had foreign ID, like a passport, and didn't yet have any US identification," said ACLU Nebraska Legal Director Amy Miller. "The law allows the county clerks to request identification and proof of age--but that's all. Any other requirements are beyond what state statutes ask for and just erect an illegal barrier to the right to get married."

Four of the counties--Dawson, Hall, Platte, and Phelps--have now fully amended their marriage license requirements to ask only for what state law requires. The fifth county--Lincoln--asked for a short amount of time to finish their review of the ACLU complaint but appears likely to cooperate as well. "All of the county clerks have voluntarily cooperated after receiving the ACLU's letter," said Miller. "In each county, the clerks were adamant that they do not wish to discriminate in any way, and employees have been trained about the policies. This is the best of Nebraskans: we make things right when they need to be."

ACLU Nebraska will continue to monitor the actual practice of each county in the future. "We will continue to use testers at some point in the future to make sure that this isn't just a change on paper, but given the conversations I've had with county officials, I really believe this is not a problem we will see again. It's a happy ending, as marriage ought to be," said Miller. "ACLU will be contacting every other county over the next few weeks to ensure they too understand the law regarding marriage license applications. Meanwhile, if there is someone who feels they were discriminated against in any county office, we urge them to contact ACLU."
