

What are the basic steps involved in getting married in Nebraska?

First, you must get a marriage license. Once you get a license, you are able to get married by having a ceremony in front of an authorized officiating person and two witnesses.

Where do I get a marriage license?

Marriage licenses are issued by Nebraska counties. Generally, both parties must appear in person to get a marriage license. For more information, contact your county clerk. To find your county clerk's website, visit <http://www.nacone.org/webpages/counties/map.html>.

Can my partner and I get married the same day we get our marriage license?

Yes. There is no waiting period in Nebraska. This means that the marriage license is immediately valid once it is issued.

After I get a marriage license, how long do we have to get married?

The marriage license remains valid for one year from the date it was issued. If you have not gotten married within one year, you will have to get a new marriage license before you can get married.

Once I get my license, where can we get married?

Once you get a marriage license from any county in Nebraska, you can get married anywhere in the state.

What identification will we need to provide the county clerk?

Each party must present "satisfactory documentary proof" of their identity. Generally, driver's licenses, state ID's, passports or green cards are satisfactory proof of identity. For more information about acceptable forms of identification, contact your county clerk.

How much does it cost?

Currently, the fee to get a marriage license is \$15.00. A certified copy of the marriage license is an additional \$5.00. In most counties, cash or credit card is accepted.

Can the clerk's office refuse to give us a license because they object to marriages between same-sex couples, once same-sex marriage is legalized in Nebraska?

No. Nothing allows a civil servant otherwise required to issue licenses for civil marriages to refuse to do so because of personal beliefs or religious objections. As government officials, they may not treat one group of applicants differently from another group solely because of personal religious objections. If you encounter a clerk's office that refuses to issue a marriage license to same-sex couples, please contact the ACLU of Nebraska at gethelp@aclunebraska.org.

Who is qualified to perform a marriage ceremony?

Any ordained minister, priest, rabbi or other clergy may perform a marriage ceremony. All judges, retired judges and clerk magistrates may also perform marriage ceremonies. Visit <http://heartlandproclamation.org/ready-to-marry> for a list of supportive clergy.

Do we need witnesses present when we get married?

Yes. Two witnesses must be present when you get married. The witnesses need not be present when you get your marriage license.

Will our names be published in the local newspaper?

Yes. Nebraska marriage licenses are public records. Generally, the parties' names, ages, and city and state of residency will be printed.

I have additional questions, who should I contact?

Please contact your county clerk for more information. To find your county clerk's website, visit <http://www.nacone.org/webpages/counties/map.html>

FAQs About Adoption

My same-sex partner and I got married. Am I now automatically a legal parent of my spouse's biological child?

If the child was born prior to your marriage, the only way to establish legal parentage for the non-biological parent is through a step-parent adoption. If the child was born after your marriage, we still recommend doing a step-parent adoption, which provides the greatest protection both at home and if you travel to other states.

What is a step-parent adoption?

Under Nebraska law, you can adopt your spouse's child if the child doesn't already have two legal parents. You must be legally married to the child's parent in order to adopt the child.

What is the basic process for adopting my spouse's biological child?

Adoption can be a complicated process. It involves completing and filing the adoption documents in court. It may also involve a home-study, getting consent forms and attending hearings, depending on the particular situation. An attorney is probably necessary to help you navigate the adoption process.

My same-sex partner and I have adopted together already from another state. Is it a valid adoption in Nebraska?

Yes. The Nebraska Supreme Court has held that an adoption order from another state will be recognized in this state. You don't have to take any additional steps.

My same-sex partner has a child from a former opposite sex relationship. Can I adopt the child?

Not without the consent of the other biological parent; if the child's other parent is willing to relinquish their rights—or if a court terminates their rights—you can adopt.

Where do we find an attorney to help complete the adoption process?

To access a list of adoption lawyers in Nebraska who are supportive of same-sex couples that are available for hire, please visit www.outline.org. If you are indigent and cannot afford to hire an attorney, call the Nebraska Volunteer Lawyers Project at 1-800-927-0117. If you meet their income guidelines, you may be matched with a volunteer attorney.

For additional information on these and other issues, visit: <http://marriageequalityfacts.org>

