



FOR UNMARRIED COUPLES



The information provided in this document is meant for the sole use of Active Duty service members, retirees, their families, and those individuals eligible for legal assistance. The information is general in nature and meant only to provide a brief overview of various legal matters. Rights and responsibilities vary widely according to the particular set of circumstances in each case. Laws can vary across states, services, and civilian jurisdictions and laws are changed from time to time. Do not rely upon the general restatements of background information presented here without discussing your specific situation with a legal professional.

1. WHAT IS THE LEGAL AGE FOR MARRIAGE IN NORTH CAROLINA?

A. While laws in different states vary, the law in North Carolina required generally the parties be at least eighteen (18) years of age.

2. WHEN IS CONSENT OF A PARENT NECESSARY?

A. A couple may marry if one or both are between 16 and 18 with parental consent.

3. DOES NORTH CAROLINA RECOGNIZE COMMON LAW MARRIAGE?

A. Common law marriage involves a couple living together and holding themselves out to everyone as man and wife. Even though there is no marriage ceremony or certificate, this marriage is considered valid in those states that recognize common law marriage. North Carolina is not one of those states, and no amount of living together in this state can result in a valid marriage, without a valid marriage ceremony. However, if a valid common law marriage has been established in a state that recognizes such marriages, then North Carolina will recognize the marriage too.

4. OTHER THAN AGE, WHAT DOES THE LAW REQUIRE FOR MARRIAGE IN NORTH CAROLINA?

A. First, the parties must both be unmarried and no closer relations than first cousins. Next, they must obtain a marriage license from the Register of Deeds in the county where the marriage is to take place. There is no waiting period and the license is good for sixty days (60) after it is issued.

5. ARE THERE ANY MEDICAL REQUIREMENTS FOR A MARRIAGE LICENSE?

A. No.

6. WHAT IF I HAVE OTHER QUESTIONS OR SPECIFIC PROBLEMS I WANT HELP IN SOLVING?

A. See a legal assistance attorney or private attorney. Seeing a lawyer early may not only solve a problem you have, it may also resolve or avoid a problem in the future, on this or other unrelated subjects. Our legal assistance office stands ready willing and able to help you in these matters.

HELPFUL WEBSITES:

North Carolina Legal Aid: <http://www.legalaidnc.org/>