



## **Civil Unions: Questions and Answers**

As of July 1, 2011, the State of Rhode Island enacted a law recognizing civil unions.

### **Who can apply for a civil union license?**

Both individuals applying for the civil union license must be of the same sex and must be at least 18 years of age. Neither individual can be married or in a civil union with another person. The two individuals cannot be related to each other as defined in R.I. Gen. Laws Sections 15-1-1 or section 15-1-2. [15-3.1-2(4)]

### **What do I need to get a civil union license?**

Both individuals applying for the civil union license must:

- Apply for the license in person at a city or town office (see section below on where to apply) and sign the license in the presence of the city or town clerk or his or her assistant.
- Present proof of birth facts and identification.
- If previously married or in a civil union, present a **certified copy** of the final decree of divorce or dissolution (with the raised or original stamped court seal) or a **certified copy** of the death certificate of the previous spouse/partner.

### **How much does a civil union license cost?**

The cost for the license is \$24.

### **Where do I apply for a civil union license?**

Rhode Island residents can apply for a civil union license in the city or town of residence of either individual. Non-Rhode Island residents can apply for a civil union license in the city or town where the ceremony will take place

### **How far in advance of the civil union ceremony do I need to get the license?**

Once a civil union license is issued, it is valid for three months. The ceremony must occur during this three-month period. (If the ceremony does not end up taking place, the civil union license should be returned to the city or town where it was issued.)

### **Who can perform a civil union ceremony?**

According to the General Laws of Rhode Island § 15-3.1-4, the following individuals can perform a civil union:

- Any ordained clergy or elder in good standing
- Any justice of the supreme court, superior court, family court, workers' compensation court, district court or traffic tribunal
- The clerk of the supreme court, any clerk or general chief clerk of a superior court, family court, district court, or traffic tribunal
- Magistrates, special or general magistrates of the superior court, family court, traffic tribunal or district court
- Administrators of the workers' compensation court and any former justice or judge and former administrator of these courts
- Any former chief clerk of the district court
- Any former clerk or general chief clerk of a superior court
- The secretary of the Senate
- Elected clerks of the General Assembly
- Any former secretary of the Senate or any former elected clerk of the General Assembly who retires after July 1, 2007.
- Judges of the United States appointed pursuant to Article III of the United States Constitution
- Bankruptcy judges appointed pursuant to Article I of the United States Constitution
- United States magistrate judges appointed pursuant to federal law
- Any justice and any former justice of the municipal courts of the cities and towns in the state
- The police court of the town of Johnston
- Any probate judge and any former probate judge
- Wardens of the town of New Shoreham may perform civil unions in New Shoreham

**What does the official need to do?**

The official must:

- Perform the ceremony
- Sign the appropriate official section of the civil union license in black ink only (no commercial correction products may be used)
- Obtain witnesses' signatures on the civil union license in black ink only (no commercial correction products may be used).
- Register the civil union record within 96 hours with the city or town clerk **where the license was issued.** [15-3.1-4(3)]

**Who can witness a civil union ceremony?**

In addition to the official, the civil union must take place in the presence of two witnesses who are at least 18 years of age.

**Are there different types of civil union ceremonies?**

There are two types of civil union ceremonies. The ceremony is considered to be a religious ceremony if it is officiated by an ordained member of the clergy or by an elder in good standing. The ceremony is considered to be a civil ceremony if it is officiated by an approved official other than an ordained member of the clergy or an elder in good standing.

**Who can correct information on a civil union license after it is registered?**

The State Office of Vital Records can correct information on a civil union license. The State Office of Vital Records is located at the Department of Health Cannon Building, 3 Capitol Hill, room 101, Providence. The office is open Monday through Friday, 12:30 – 4:00 p.m.