**Expired Marriage license**

**From:** Liz Stankewitz <liz@cheboygancounty.net>
**Date:** June 24, 2016 at 9:06:08 AM EDT
**To:** "madcm@googlegroups.com" <madcm@googlegroups.com>
**Subject:** **RE: Expired Marriage license**
**Reply-To:** madcm@googlegroups.com

MCL 551.111 covers license errors and corrections.  It allows the circuit court to change the original record by ex parte order.  Depending on how its interpreted, it may do the trick.  Good luck.

**From:** madcm@googlegroups.com [mailto:madcm@googlegroups.com] **On Behalf Of**McKay,Kevin
**Sent:** Friday, June 24, 2016 8:49 AM
**To:** Members MADCM
**Subject:** Expired Marriage license

We just found out a 2011 marriage our magistrate did was on a marriage license that was expired by 1 day.

Our County Clerk is saying marriage is invalid.  Has anyone ever done some type of Order from the Judge that somehow now validates the marriage?

Obviously that was their intent and public policy would favor the marriage being "legitimized" but I never have heard of this.

Thanks

Kevin

**From:** "Milroy,Michael" <michael.milroy@kentcountymi.gov>
**Date:** June 24, 2016 at 9:04:33 AM EDT
**To:** "madcm@googlegroups.com" <madcm@googlegroups.com>
**Subject:** **RE: Expired Marriage license**
**Reply-To:** madcm@googlegroups.com

Don’t laugh at me.  My name is not on that license.

Milroy

63rd



**From:** "McKay,Kevin" <kevin.mckay@kentcountymi.gov>
**Date:** June 24, 2016 at 5:15:26 PM EDT
**To:** "madcm@googlegroups.com" <madcm@googlegroups.com>
**Subject:** **RE: Expired Marriage license**
**Reply-To:** madcm@googlegroups.com

Thanks Liz.   I looked at that statute [MCL 551.111] and I don’t know if it applies because there is not an actual mistake on the license to be corrected….***the license was expired.***

There is also MCL 551.16 that says a marriage is not void or invalid “for want of jurisdiction or authority” of the person performing….as long as “consummated with full belief on the part of the individuals married” [*wow, that could be a punchline in a funny joke.]*However, my situation is not a jurisdiction or authority problem with the officiant.

I think I found the best solution - Cindy Rude [Probate Register from Calhoun Co] told me there is a $3 “secret marriage” that the probate judge can do that would seem to work best in this situation.  MCL 551.201.

The Judge can create a marriage and give a license with any date “nunc pro tunc” – apparently out of thin air – if

**“if there is good reason expressed in the application and determined to be sufficient by the judge of probate”**

Have a great weekend everyone !!!

Kevin

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