

**Schweinfurt Law Center  
Legal Assistance Information**

**How to Get Married in  
Germany, Denmark & Switzerland**



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**Please note that this Information Paper only provides basic information and is not intended to serve as a substitute for personal consultations with a Legal Assistance Attorney. For an appointment dial (DSN) 353 - 8505/ 8384 or (CIV) 09721 - 96 - 8505/ 8384.**

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## I. HOW TO GET MARRIED IN GERMANY

### A. General Procedure

a. **MANDATORY CIVIL WEDDING.** Germany does not recognize common law marriages and requires a mandatory civil wedding ceremony before a registrar of vital statistics (“Standesbeamter”) at the local Office of Vital Statistics (“Standesamt”), located in the Town Hall (“Rathaus”), § 1310 BGB (Bürgerliches Gesetzbuch, German Civil Code). Both spouses must be present at the mandatory civil wedding ceremony, § 1311 BGB. A religious ceremony by a military chaplain or civilian clergyman is optional. However, the religious ceremony can only be held after the civil ceremony, § 67 PStG (Personenstandsgesetz, Personal Status Act). All marriages performed in Germany according to the German law are recognized in the United States.

b. **NOTICE OF IMPENDING MARRIAGE.** If you contemplate getting married in Germany you have to visit the “Standesamt” to give notice of the impending marriage (“Antrag auf Eheschließung” formerly known as “Aufgebot”), § 4 PStG. At that point your fiancé(e) does not have to accompany you if he or she has given a power of attorney to you for the registering process. Call the “Standesamt” to verify opening hours before visiting because most likely the office will be open only for a couple of hours during the week. The clerk should provide you with a detailed list of all documents required in your specific case.

c. **CERTIFICATE OF ELIGIBILITY TO MARRY.** After all necessary documents have been turned in, the paperwork is then sent off to the Higher Regional Court of Bamberg (“Oberlandesgericht Bamberg”), in order to obtain an exemption from the production of a certificate of eligibility to marry (“Befreiung vom Ehefähigkeitszeugnis”), § 1309 BGB, § 5a PStG. In exceptional cases you may be allowed to take the paperwork to Bamberg yourself, to speed up the process, otherwise the registrar will receive the packet back in about 2 weeks. In any event, a transfer form, which can be obtained from the registrar, has to be filled out and the court fees have to be paid.

d. **FEES.** A registrar’s fee of approx. €60 needs to be paid at the time you turn all the assembled documents. If the wedding takes place in another Town Hall than the one where you are registering, you will have to pay the registrar’s fee twice. Additionally there is a court fee charged by the Higher Regional Court in Bamberg. According to Article 14 of the SOFA Supplementary Agreement the court fees for the exemption from the production of a certificate of eligibility to marry (“Befreiung vom Ehefähigkeitszeugnis”) shall not exceed €25.56. The court fee can be paid at the Higher Regional Court, at any German bank or the German Post Office. In the latter cases you have to show the receipt (“Quittung”) to the registrar as proof of payment.

d. **BEST MAN.** It is optional to have one, two or no witnesses present at the mandatory civil ceremony, § 1312 BGB. However, any witness needs to be over the age of 18 and he/she needs to prove his/her identity with either a passport or military I.D. card. If you decide to have witnesses present, you should inform the registrar about the witnesses’ names at least eight days before the wedding.

e. TRANSLATOR. Unless both persons to be wed speak German fluently, you will need to bring a translator or interpreter with you to the Town Hall when you give notice of the impending marriage. Preferably, the same translator or interpreter should also translate during the wedding ceremony. You will also have to have a translator or interpreter present when the witness to the marriage is not in command of the German language. Even though your fiancé(e) may speak German fluently, she/he will not be allowed to translate for you or your best man.

## ***B. Necessary Documents***

a. SIX-MONTH DEADLINE. It takes time to assemble and to fill out all the necessary documents. Once you have all papers prepared and turned in, then - depending on your special case - it will be only a matter of 6-8 weeks before the wedding bells ring. Upon completion of the registry process, you have to get married within the following 6 months, § 6 PStG. If you fail to do so within that time period, e.g. because of a sudden deployment, you have to start the whole process anew and do it all over again. However, how fast you can come up with the required documents depends on you. Most of the non-German documents need to be furnished to the “Standesamt” in a certified copy as well as in a translated version.

b. DOCUMENTS NEEDED. You will need at least the following documents:

(1) PASSPORT. Military I.D. Cards are not always accepted. Passports are preferred. If a soldier does not have a United States passport, the “Standesamt” requires an affidavit stating that the applicant is an American citizen done in front of a notary public either at your local OSJA or the U.S. General Consulate. Please find attached to this paper a sample form for such an affidavit. If your name has been legally changed since the issuance of your birth certificate or passport, you should present an official court decree to this effect.

(2) BIRTH CERTIFICATE. An ORIGINAL birth certificate is needed, certified copies or hospital birth certificates are usually not accepted. The birth certificate should state your parents’ names (“Abstammungsurkunde mit Elternangabe”). Birth certificates for any children you may have had with your fiancé(e) prior to the marriage will also have to be presented.

(3) RESIDENCE PERMIT. If your fiancé(e) is not already subject to the NATO Status of Forces Agreement, he or she will need a residence permit (“Aufenthalts- oder Meldebescheinigung”) from his or her hometown not older than 6 weeks.

(4) STATEMENT OF BEING SINGLE. If you have never been married before, you will need to provide the “Standesamt” with an affidavit stating that you are single (“Ledigkeitsbescheinigung”). It can be prepared at the Legal Assistance Office.

(5) MARRIAGE QUESTIONNAIRE. It can only be obtained at the “Standesamt”. It has to be completed and handed back in person to the “Standesamt”. If you need assistance in answering the questions, you may either contact the “Standesamt” or the Legal Assistance Office for help.

(6) POWER OF ATTORNEY TO REGISTER. If your fiancé(e) cannot be present when you register for the impending marriage, then you need to present a written statement indicating that he/she agrees to the initiation of the registry process (“Beitrittserklärung”). It is done very easily by simply having your fiancé(e) sign the power of attorney form on the marriage questionnaire.

(7) MISCELLANEOUS. Other additional documents as needed in your specific case, e.g. if you are divorced, widowed, under 18,... The clerk at the “Standesamt” should provide you with a detailed list when you go there to inquire about the papers needed for getting married in Germany.

### ***C. Divorces, Widowed or Under 18 and other Problem Cases***

a. DIVORCED. Except for divorces from States where an interlocutory (temporary) decree had been issued prior to the issuance of the final decree, the German as well as the Danish authorities require the submission of a Certificate of Finality of Divorce in order to be completely sure that the divorce decree was not set aside by a higher court upon an appeal. The judgment of dissolution of marriage or the divorce decree itself stating that it is final, is generally not good enough! Your OSJA will be happy to assist you in obtaining the necessary certificate. Even if you were divorced years ago, the authorities will require such a certificate indicating the final dissolution of marriage, simply because they are extremely thorough and not familiar with your State’s laws. Additionally, a certified copy of the dissolution of marriage is required. All this usually involves a small fee of up to \$15 charged by that State’s court. In addition to all of the above, the marriage certificate from the previous marriage has to be presented as well. In case you have been married more than one time, the previous marriage certificates need to be presented as well. Furthermore, you may be even required to present an affidavit in which you state your marital history, where several years have passed since the granting of your divorce. Finally, all these papers need to be officially translated into German or Danish as applicable. Excerpt translations of the divorce decree are accepted. Summed up, you will need the following:

- (1) Certificate of Finality of Divorce
- (2) Certified copy of the divorce judgment
- (3) Marriage Certificate (of all previous marriages)
- (4) Bi-lingual Affidavit of Marital History
- (5) official translations of (1) through (3)

b. WIDOWED. Widowed persons must submit the death certificate of their former spouse. The death certificate must be either the original document or a signed and sealed copy issued by the governmental agency which officially registers deaths. Furthermore, it needs to be translated into German, too.

c. UNDER 18. If one of the parties to be wed is at least 16 years old but not yet 18 years old, the German age of emancipation, then that party needs to seek approval from the Family Court in order to be wed, § 103 BGB. Consent of the concerned party’s parents is not sufficient.

d. FOREIGN FIANCÉ(E). A foreign fiancé(e) not residing within Germany or another European Union (EU) country has to either apply for a VISA or may enter the country without a VISA (where possible), § 3 AuslG (Ausländergesetz, German Alien Act), § 1 DV AuslG (Durchführungsverordnung zum Ausländergesetz, Executive Order regarding the Aliens Act). However, in either case he/she will be only allowed to stay in the country on a tourist visa basis for up to 3 months! Only US citizens and citizens from fellow EU countries are allowed to stay longer, but US citizens are not permitted to work during that time because of their tourist status. If the fiancé(e) is going to stay at your place during that time, he/she must register at your local town hall immediately and deregister once you are married, Article 13 Bay. MeldeG (Bayerisches Meldegesetz, Bavarian Registration Act), § 11 MRRG (Melderechtsrahmengesetz, Federal Framework Registration Act)! Otherwise your fiancé(e) will be in violation of the applicable German registry laws and regulations. Until you are married, your fiancé is not subject to the NATO Status of Forces Agreement. The 3-month time frame will hardly be sufficient to assemble all the documents and to register for the impending marriage. Therefore, it is important that you start the registering process before your fiancé(e) comes into the country. An extension of the Tourist Visa is not possible!

#### ***D. Local Addresses***

a. The mandatory civil wedding ceremony takes place at the local Office of Vital Statistics (“Standesamt”). It is located in the Town Hall (“Rathaus”), situated at the municipal administration (“Gemeindeverwaltung”) or Town Management (“Stadtverwaltung”). Generally, you can choose between three “Standesämter”:

- (1) the one where you are stationed (Conn Barracks —> Niederwerrn; Ledward Barracks —> Schweinfurt),
- (2) the one where your fiancé(e) resides or
- (3) any other “Standesamt” in Germany provided that you contacted one of the above-mentioned “Standesämter” first. Note, this will double your registration fees.

b. Addresses and telephone numbers of some of the “Standesämter” in the Schweinfurt area are:

Standesamt Schweinfurt Am Markt 197421 SCHWEINFURT Tel.: 09721-51-282  
Standesamt Niederwerrn Schweinfurter Str. 5497464 NIEDERWERRN Tel.: 09721-4999-20  
Standesamt Bad Kissingen Rathausplatz 197688 BAD KISSINGEN Tel.: 0971-807-125  
Standesamt Werneck Balthasar Neumann Platz 897440 WERNECK Tel.: 09722-22-0  
Standesamt Dittelbrunn Grottenweg 297456 HAMBACH (Dittelbrunn) Tel.: 09725-7124-0  
Standesamt Geldersheim Würzburger Str. 1897505 GELDERSHEIM Tel.: 09721-7887-0

## II. GERMAN DOMESTIC RELATIONS LAW

a. Getting married to a German national may subject you to German family law - no matter where in the world the wedding ceremony is performed, Article 14 EGBG (Einführungsgesetz zum Bürgerlichen Gesetzbuch, Introduction to the German Civil Code). It is not the intent of this paper to provide you with a thorough overview of the German domestic relations law but rather to encourage you to contact your Legal Assistance Office if you have any questions concerning your specific case. Moreover, you may also have questions involving other areas of law, e.g. double taxation and the law of succession.

b. FAMILY NAME. Under German law you and your German spouse may choose a joint family name, § 1355 BGB. You have the choice between your or your spouse's maiden name. The spouse, whose maiden name did not become the joint family name, may add his/her maiden name to the joint family name, giving that spouse only a double name. If you exercise one of these options the choice you make will be final and, therefore, the name can never be modified or changed again while you are married. Problems always arise, however, with Spanish double names, e.g. Puerto Rico. In such a case it is better not to choose a family name according to German law but to do it according to the laws of your home state.

c. NAME CHANGE AND ADOPTION. Upon application by your spouse and yourself, any illegitimate children of either spouse, that are living with you and your spouse, can be given the new family name without the other spouse incurring the support obligation and without the consent of the biological father unless the child carries his name, §1618 BGB. Alternatively, you may add the new family name to the child's existing last name. However, the courts evaluate these issues by weighing whether it is in the best interest of the child. A legal adoption (which is more than a simple name change) is the only way that the adopting parent will assume a support obligation, § 1741 BGB. In such a case generally the consent of both biological parents and the adopting parent is required, § 1747 BGB.

d. PRE-NUPTIAL AGREEMENTS. In order to be valid and enforceable, pre-nuptial agreements made in Germany need to be sealed and signed before a German Notary ("Notar"), § 1410 BGB. Unlike in the United States, German Notaries are no legal lay persons but specially trained lawyers and publicly appointed legal officers, § 5 BNotO (Bundesnotarordnung, Federal Regulations for Notaries). They have the right to charge a substantial amount of fees for their services, § 140 KostO (Kostenordnung, Regulations on Ex-parte Costs).

e. DIVORCE. In the hopefully unlikely event that your marriage does not work out, you will be subject to German law if your spouse files for a divorce in Germany, Art. 17 EGBGB. German law not only requires the non-custodial parent (usually the military spouse!), to pay child support (§ 1612a BGB) but also requires spousal support payments to be made during the time while living separate and apart (§ 1361 BGB) as well as after a divorce if ordered so (§ 1569 BGB). The exact figures are based on your net income. Please note that not all of your debts are taken into consideration for calculating your net income, thus the support payments may weigh heavily.

f. TAXES. If after the marriage your spouse starts working or continues to work on the German economy, you should caution her/him about applying for a marital status under tax class 3 ("Steuerklasse 3") but advise her/him to keep the tax class 1 ("Steuerklasse 1"), requiring her/him to file taxes separately. Her/his tax class 3 status will take you out-of the SOFA protection with regard to income taxes (Art. X SOFA). Although it might seem profitable, your spouse could end up owing

taxes instead of getting a tax return because your income, which remains non-taxable under Art. 19 Double Taxation Treaty<sup>1</sup>, will have an effect on your spouse's tax rate. In addition to that, you might be liable for your spouse's tax debt to the German IRS ("Finanzamt"). After you are married, your spouse will be entitled to legal assistance, too, and may seek advice about her/his specific case before she/he changes her/his tax class. Furthermore, there is also a handout available at the Legal Assistance Office dealing with these specific issues ("Grundzüge des deutschen Steuerrecht - Einkommen- / Lohnsteuer").

### III. DANISH WEDDING

#### **A. Procedure and Documents Needed**

a. LOCATIONS AND FEES. The cities of Haderslev, Horsens, Padborg, Tondern, Vejle and Vojens allow you to get married within a couple of days, i.e. if you have all your paperwork ready. The Danish authorities charge a fee of roughly DKR 500 for their services plus the costs for a translator (Danish/ English/ German). Only Danish money will be accepted.

b. NECESSARY DOCUMENTS. Basically you will need the same documents as for a marriage in Germany:

- (1) Passport (see above)
- (2) an original birth certificate or notarized copy not older than 6 months
- (3) the German partner needs to present an original birth-certificate.
- (4) Residence permit (for the German partner only!) (see above)
- (5) leave orders for Denmark if you are in the military
- (6) miscellaneous documents (see above)

c. PROBLEM CASES. If you are widowed, divorced or under 18, things are more complicated and the preparation is a little bit more time consuming. In such a case you need to go through a prior approval process with the appropriate Danish "Statsamt" (do not confuse it with the German word "Standesamt"! ) which could easily take up to a month or even longer. Send only the required paper(s) to the "Statsamt" by registered mail and use a German return address. Upon approval the papers are returned to you via mail and you can proceed with your marriage preparations.

#### **B. Registration Process**

a. REGISTRATION OF MARRIAGE. If you decide to get married outside of Germany to a German national, then your spouse should immediately after your return to Germany contact his/her "Standesamt" and have the marriage registered in Germany.

b. VISA REQUIREMENTS. Denmark neither requires a Visa for US citizens nor Germans or other citizens of the European Union. As of 26 March 2001 the Schengener Treaty, which simplifies Visa regulations within the European Union, is also in effect in Denmark. Consequently, any VISA issued for traveling to the European Union is valid in Denmark, too.

### **C. Danish Addresses**

There are about 250 Offices of Vital Statistics in Denmark. Almost every office has some special requirements of its own. Therefore, you have to directly contact the office where you would like to get married and - if needed - the appropriate "Statsamt", too. It will do you no good if you contact one of the below listed addresses without having the intention to actually get married there:

Horsens Kommune Holger Sorensens Plads 4 DK-8700 Horsens Tel. 0045-75-614344

Tondern Kommune Kongevej 57 DK-6270 Tondern Tel. 0045-74-72181-0

Vejle Kommune Skolegade 1 DK-7100 Vejle Tel. 0045-75-727111

Haderslev Kommune Gäskaergade 26 DK-6100 Haderslev Tel. 0045-74-222324

Vojens Kommune DK-6500 Vojens Tel. 0045-74-203040

Borgmesterkontoret Radhuset Kirkestien Bov. 1 DK-6330 Padborg Tel.: 0045-74-670067

The appropriate "Statsamt" is for:

Horsens and Vejle:

Vejle Statsamt Vedelsgade 17 B DK-7100 Vejle Tel.: 0045-75-82330-0

Sonderjylland Statsamt H.P. Hansens Gade 42 DK-6200 Abenra Tel.: 0045-74-313131

Haderslev, Tondern, Vojens and Padborg:

## IV. BONDS OF MATRIMONY IN SWITZERLAND

### ***A. Swiss Procedure***

a. NATO-PERSONNEL. The Swiss Canton of Basel offers a special service available for US NATO-personnel only. If you and your fiancé(e) are both US citizens and stationed here in Europe, you can get married in Basel, Switzerland. However, you cannot marry your German fiancé(e) in Basel, unless she/he permanently resides there. The address for the registrar, the Civil Office of Vital Statistics (“Zivilstandesamt”), is the following:

Zivilstandesamt Basel-Stadt  
Rittergasse 11  
CH-4010 Basel  
Tel.: 0041-61-267-9596

b. PROCEDURE. Persons who wish to be married in Basel must first telephone the Basel registrar to obtain permission for submitting the required documents. The registrar can be reached by phone from 8:00 - 11:00 and 14:00 - 16:00 hours at CIV 0041-61-267-9596. The preferred language is German, but English is spoken as well. The marriage ceremony itself normally takes place on a Tuesday.

c. FEES. The fees, payable in Swiss francs, vary according to your needs, e.g. depending on whether you need them to furnish two witnesses or bring those yourself and if you would like to have a marriage certificate issued in the English language or not.

### ***B. Necessary Documents***

a. DOCUMENTS NEEDED. Basically you will need the same documents as for a marriage in Germany. All documents need to be provided in certified German translations. The waiting period after submission of all documents is approximately three weeks. Documents needed include the following:

- (1) Passport (see above)
- (2) an original birth certificate or notarized copy not older than 6 months
- (3) leave orders for Switzerland if you are in the military
- (4) miscellaneous documents, e.g. Statement of Being Single or Certificate of Finality of Divorce, (see above)

b. PROBLEM CASES. Once again, if you are widowed, divorced or under 18, things are more complicated and the preparation is a little bit more time consuming. In such a case you need to go through a prior approval process with the appropriate Swiss authority, which could take a couple of weeks in addition to the three-week waiting period.

## V. RETURN TO THE UNITED STATES

### ***A. Getting Married in the USA***

a. If you are just flying to the United States to get married and, thereafter return to Germany, you and your fiancé(e) will simply need to meet the requirements of the State in which you are to be married.

b. In case you and your fiancé(e) plan to get married in the United States **and** intend to stay in the USA, for a period exceeding 90 days, your fiancé(e) will need a so called “K-visa”. Therefore, you (not your fiancé(e)!) need to file a petition with the Immigration and Naturalization Service (INS) having jurisdiction over your place of residence in the United States. The appropriate application forms (Form I-129F and Form G-325A) as well as the INS address are available at the American Consulate General in Frankfurt, the 38th PSB or the ID Card Section on Ledward Barracks (Bldg. 215). However, the Consulate will neither approve nor adjudicate the petition. This can only be done by the INS back in the States. The approved petition will be forwarded by INS to the American Consulate where your fiancé(e) will apply for his or her visa. Further information can also be obtained from the internet page: <http://travel.state.gov/visa;fiancee.html>. Issuance of a K-visa requires you to complete the marriage in the United States within 90 days and allows your spouse to stay in the United States, exceeding a period of 90 days upon filing an application for (conditional) permanent residency. A tourist visa (“B-visa”) will be good only for up to 90 days even if the holder is married to a United States citizen. Thereafter, the B-visa holder must leave the United States.

### ***B. How to bring your Foreign Spouse to the USA***

a. Should a non-American wish to accompany a United States citizen spouse to the United States to live, the non-American spouse should apply for a non-quota immigration visa at the American Consulate General, Siesmayer Str. 21, 60323 Frankfurt/M. (Tel. 069-7535-0). However, in most cases a Form I-130 needs to be filled out first by you. Therefore, you have to furnish proof of your US citizenship (military ID cards are not proof of US citizenship!) and proof of a legal relationship between you and your alien relative, e.g. marriage certificate. Approved petitions are sent to the Department of State Visa Processing Center. It can take up to four months for the application to be approved. Further information material may be obtained either from the American Consulate General in Frankfurt, the 38th PSB or the ID Card Section on Ledward Barracks (Bldg. 215). You may also consult the internet page: <http://travel.state.gov/visa>.

b. GREEN CARD. The Alien Registration Card (ARC), commonly known as the “Green Card”, is issued on Form I-551. A person marrying a US citizen is given a temporary residence and after two years, they are required to file a joint petition on a Form I-751 in order to remove the temporary conditions. If they are not married at the two year mark, the alien spouse can still file an I-751, but as a waiver of the requirement to file a joint petition. That waiver can be based on either the marriage being one of good faith (so long as the alien spouse did not end the marriage) or based on extreme hardship to the alien, if the waiver is not granted.

c. LRP. Legal Permanent Residents (LPRs) whose I-130 has not been pending for 3 years or who have been waiting for the immigrant visa (once I-130 is approved) for 3 years can bring their spouse to the USA on a V-visa. However, that spouse cannot leave the USA and return on this visa.

## VI. MISCELLANEOUS

### ***A. Legalization & Apostille***

a. Legalization is a very formal and time-consuming process of authenticating a document. Most countries have adopted a system under which the Legalization process is simplified by issuing an Apostille<sup>2</sup>. The Apostille is an internationally recognized certification that the notarization conforms to the legal standards of the country of origin. Yet, for documents originating from some Caribbean, Central American, South American and African countries a formal legalization is still required.

Apostille(Convention de La Haye du 5 octobre 1961)

1. Country:  
This public document
  2. has been signed by
  3. acting in the capacity of
  4. bear the seal/stamp of
- Certified
5. at
  6. the
  7. by
  8. No.
  9. Seal/Stamp:
  10. Signature:

b. In Germany US citizens usually do not need to obtain an Apostille. Unless the original document is needed, notarizations by a military notary are sufficient. However, the US Department of State is the Apostille authority for Federal documents and notarizations. Documents notarized either by a military notary or a US Consular official need to be mailed to the main office of the State Department, Authentication Office, 5188 23<sup>rd</sup> St. N.W., SA-1 Columbia Plaza, Washington DC 20520 for the issuance of the Apostille along with a daytime phone number, a stamped self addressed envelope, and the name of the country where the document will be used. There is a fee of approx. \$5.00 per document. The turn around time is about 5 days.

### ***B. Army Regulations***

The two Army regulations pertaining to marriage of U.S. Army personnel abroad have been rescinded (AR 608-61 and AR 600-240) since September 1996. USAREUR Supplements relying on the basic regulations are no longer valid. Should your "Standesamt" have not been made aware of

this yet, please contact the Legal Assistance Office at your OSJA. AE Form 1680, AE FL 1536-R and AE FL 1676-R are no longer issued.

***C. How to file American taxes jointly***

a. In order to claim a dependent spouse on your tax form and to file jointly, your spouse will need an SSN (Social Security Number). Yet, a nonresident alien does not get an SSN unless she or he has worked or lived in the United States. Therefore, in case your spouse does not qualify for an SSN, you have to obtain an ITIN (Individual Tax Identification Number).

b. SSN. If your spouse is eligible to obtain a SSN you may pick up a social security application package at your Legal Assistance Office. Once filled out, it should be mailed to the Social Security Administration, Division of Internation Operations, ATTN: CDB-SSN Clerk, P.O. Box 1756, Baltimore, MD 21203.

c. ITIN. In order to apply for an ITIN you will have to fill out a Form W-7, available at your Legal Assistance Office. It should be mailed together with

- (1) a certified copy of your spouse's birth certificate,
- (2) a certified copy of his or her passport and
- (3) a certified copy of your marriage certificate.

to the Internal Revenue Service, Philadelphia Service Center, ITIN Unit, P.O. Box 447, Bensalem, PA 19020.

d. For German tax issues see above (6)(f).

Prepared by Joerg C. Modellmog, German Attorney-Advisor

**VII. ANNEXES**

**AFFIDAVIT OF BEING SINGLE & CITIZENSHIP**

WITH THE UNITED STATES ARMED FORCES )  
 ) .....  
AT SCHWEINFURT, GERMANY )

I being duly sworn under oath, do hereby depose, state and swear that the following information is true and correct:

(Ordnungsgemäß vereidigt, erkläre, schwöre und gebe ich hiermit zu Protokoll, daß die folgenden Angaben wahr sind:)

Last Name / Nachname: .....  
Name / Vorname: .....  
Middle Name / 2. Vorname: .....  
SSN / Sozialversicherungs-Nr.: .....

Place of Birth / Geburtsort: .....  
Date of Birth / Geburtsdatum:(DD/MM/YYYY) / (TT/MM/JJJJ)  
.....

Citizenship / Staatsbürgerschaft: **US American / US Amerikaner**

Rank / Rang: .....  
Unit / Einheit: .....

I have never been married prior to this date and I am free to marry.  
(Ich war bisher noch nie verheiratet und bin frei zu heiraten).

\_\_\_\_\_  
SIGNATURE BLOCK  
Rank, U.S. Army  
000-00-0000

Subscribed, sworn to and acknowledged before me by ..... is known to me to be a service member outside the United States. This acknowledgment is executed in my official capacity under the authority granted by Title 10, United States Code, Section 1044a, which also states that no seal is required on this acknowledgment, on this ... day of ....., .....

\_\_\_\_\_  
SIGNATURE BLOCK  
Rank, U.S. Army  
Legal Assistance, NCOIC

**AFFIDAVIT OF CITIZENSHIP**

WITH THE UNITED STATES ARMED FORCES )  
) .....  
AT SCHWEINFURT, GERMANY )

I being duly sworn under oath, do hereby depose, state and swear that the following information is true and correct:  
(Ordnungsgemäß vereidigt, erkläre, schwöre und gebe ich hiermit zu Protokoll, daß die folgenden Angaben wahr sind:)

Last Name / Nachname: .....  
Name / Vorname: .....  
Middle Name / 2. Vorname: .....  
SSN / Sozialversicherungs-Nr.: .....

Place of Birth / Geburtsort: .....  
Date of Birth / Geburtsdatum:(DD/MM/YYYY) / (TT/MM/JJJ)  
.....

Citizenship / Staatsbürgerschaft: **US American / US Amerikaner**

Rank / Rang: .....  
Unit / Einheit: .....

\_\_\_\_\_  
SIGNATURE BLOCK  
Rank, U.S. Army  
000-00-0000

Subscribed, sworn to and acknowledged before me by ..... is known to me to be a service member outside the United States. This acknowledgment is executed in my official capacity under the authority granted by Title 10, United States Code, Section 1044a, which also states that no seal is required on this acknowledgment, on this ... day of ....., .....

\_\_\_\_\_  
SIGNATURE BLOCK  
Rank, U.S. Army  
Legal Assistance, NCOIC

**AFFIDAVIT OF MARITAL HISTORY**

WITH THE UNITED STATES ARMED FORCES )  
 ) .....  
AT SCHWEINFURT, GERMANY, APO AE 09226)

I being duly sworn under oath, do hereby depose, state and swear that the following information is true and correct:  
(Ordnungsgemäß vereidigt, erkläre, schwöre und gebe ich hiermit zu Protokoll, daß die folgenden Angaben wahr sind:)

Last Name / Nachname: .....  
Name / Vorname: .....  
Middle Name / 2. Vorname: .....  
SSN / Sozialversicherungs-Nr.: .....

Place of Birth / Geburtsort: .....  
Date of Birth / Geburtsdatum:(DD/MM/YYYY) / (TT/MM/JJJJ)  
.....

Citizenship / Staatsbürgerschaft: **US American / US Amerikaner**

Rank / Rang: .....  
Unit / Einheit: .....

I married ..... in ....., ..... on ..... The marriage was divorced in ....., ..... on ..... Thereafter, I was married to ..... in ....., ..... on ..... The marriage was dissolved on ..... by the Superior Court of the State of ....., ..... County, USA. I have never remarried nor lived as wife/husband with anyone else since the granting of that dissolution of marriage and, therefore, I am free to marry.  
(..... heiratete ich ..... in ....., ..... Die Ehe wurde am ..... in ....., ....., ..... geschieden. Danach habe ich ..... am ..... in ....., ..... geheiratet. Die Ehe wurde am ..... durch den Superior Court of the State of ....., ..... County, USA aufgelöst. Ich habe niemals wieder geheiratet oder mit jemandem als Ehefrau/Ehemann zusammengelebt, seit diese Ehe aufgelöst wurde und bin daher frei zu heiraten.)

\_\_\_\_\_  
SIGNATURE BLOCK  
Rank, U.S. Army  
000-00-0000

Subscribed, sworn to and acknowledged before me by ..... is known to me to be ..... in the Armed Forces outside the United States. This acknowledgment is executed in my official capacity under the authority granted by Title 10, United States Code, Section 1044a, which also states that no seal is required on this acknowledgment, on this ... day of ....., .....

\_\_\_\_\_  
SIGNATURE BLOCK  
Rank, U.S. Army  
Legal Assistance, NCOIC

**CERTIFICATE OF FINALITY OF DISSOLUTION OF MARRIAGE**  
**(Rechtskraftzeugnis)**

Court(Gericht)

County(Bezirk)

State(Staat)

Judgment for Dissolution of Marriage / Divorce Decree(Scheidungsurteil)  
vs.(gegen)

Docket No.(Aktenzeichen)

Date of Judgment(Datum des Urteils)

TO WHOM THIS MAY CONCERN(Wen es angeht)

I,(Ich)

\_\_\_\_\_

Clerk of the(Urkundsbeamter am Gericht)

County of(Gerichtsbezirk)

State(Staat)

hereby certify that:(bestätige hiermit, daß:)

The Judgment for Dissolution of Marriage is final.(Das Scheidungsurteil ist rechtskräftig.)

No appeals have been taken against said judgment and it has not been set aside.(Gegen das besagte Urteil ist kein Rechtsmittel eingelegt worden und es ist nicht aufgehoben worden.)

Date:(Datum:)

\_\_\_\_\_

\_\_\_\_\_  
Signature of the Clerk or Deputy Clerk of the Court(Unterschrift des Urkundsbeamten/  
in oder stellvertretenden Urkundsbeamten/in))  
SEAL(Siegel)

**(Footnotes)**

<sup>1</sup> Convention between the Federal Republic of Germany and the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and Capital and to certain other Taxes, dated 28 August 1989, in force since 21 August 1991. (Abkommen zwischen der Bundesrepublik Deutschland und den Vereinigten Staaten von Amerika zur Vermeidung der Doppelbesteuerung und zur Verhinderung der Steuerverkürzung auf dem Gebiet der Steuern vom Einkommen und vom Vermögen und einiger anderer Steuern vom 28. August 1989, in Kraft seit 21. August 1991, DBA-USA 1989/91).

<sup>2</sup> Convention Abolishing the Requirement of Legalization for Foreign Public Documents, dated 5 October 1961. (Übereinkommen zur Befreiung ausländischer öffentlicher Urkunden von der Legalisation vom 5. Oktober 1961).