

Validity of Marriages Abroad and Foreign Divorces in Washington State

The Attorney General of Washington has received many questions regarding the validity of marriages performed outside of the United States (sometimes referred to as overseas, international, or foreign marriages). Our office also receives questions regarding divorces obtained abroad. This frequently asked questions section provides some general guidance to Washington State residents regarding foreign marriages and divorces and is not a substitute for legal advice. If you are looking for legal advice relating to the status of your marriage or divorce abroad, please consult with a private attorney.

Are Marriages Abroad Recognized in Washington State?

RCW 26.04.020(3) states that a marriage, recognized as valid in another jurisdiction, is considered valid in Washington State as long as it does not violate RCW 26.04.020(1)(a) or (2). [RCW 26.04.020\(1\)\(a\) and \(2\)](#) read as follows:

(1) Marriages in the following cases are prohibited:

(a) When either party thereto has a spouse or registered domestic partner living at the time of such marriage, unless the registered domestic partner is the other party to the marriage; ...

(2) It is unlawful for any person to marry his or her sibling, child, grandchild, aunt, uncle, niece, or nephew.

Each country has its own unique laws, and each marriage is different from every other. Because of this, if you are wondering whether your marriage abroad will be recognized under Washington State law, you should consult with an attorney who can assist you in answering your question based on your particular circumstances.

How do I record the marriage certificate from my marriage abroad in Washington State?

In Washington State, a county auditor or recorder's office may record your foreign marriage certificate. Whether the county auditor or recorder's office will record a foreign marriage is determined by each individual county. While the Washington State Department of Health serves as the state's repository for vital records, the Department of Health does not register foreign marriage certificates. If you have questions relating to

recording your foreign marriage certificate please contact the county auditor or recorder's office where you reside.

Where can I find information regarding my immigration or visa questions relating to a foreign marriage?

The United States Citizenship and Immigration Services (USCIS) is the United States federal agency authorized to administer immigration visas and adjust immigration status. You may wish to consult the USCIS website to learn more about the requirements for immigrating to the United States and how they may relate to foreign marriages. The website also contains immigration application forms for various types of immigration. You can access the USCIS website at: <http://www.uscis.gov/>. For questions regarding your particular circumstances, you may also wish to consult with a private attorney specializing in immigration law.

Will my Divorce Abroad be Recognized in Washington State?

Courts in Washington State recognize foreign divorces under a legal principal known as "comity" unless the foreign order conflicts with local law or violates the state's public policy. Issues can and do arise when one party seeks to enforce a foreign divorce decree in Washington State with respect to property disposition, child support, or other related issues. For questions regarding your particular divorce, you should contact legal counsel with expertise in foreign divorces who can evaluate your specific circumstances. With respect to recording a foreign divorce in Washington State for recognition, a county auditor or recorder's office may record your foreign divorce decree. Whether the county auditor or recorder's office will record a foreign divorce decree is determined by each individual county. If you have questions relating to recording your foreign divorce decree, please contact the county auditor or recorder's office where you reside for more information. If the documents are in a language other than English, you may need to have them translated. The Washington State Department of Health does not register foreign divorces.