

DISCLAIMER OF LIABILITY

Applicants are advised that persons who have been ordained over the internet may not be permitted to perform marriages in Pennsylvania. A recent Court decision held that persons ordained over the internet are not ministers as defined in the marriage law of Pennsylvania if they do not regularly preach to a congregation that regularly meet at a place of worship. You are advised to consult an attorney concerning the legality of such marriages.

This office will not determine what is/ is not a church and/or congregation.

PLEASE BE ADVISED: If you choose to be married by someone other than the officiates specifically listed as authorized by the PA Law on the following page, the burden of proof will be on you regarding the legality of your marriage – should future issues arise that require a determination of the marriages validity.

To be recognized as legal by the Commonwealth of Pennsylvania, marriages must be performed under a valid marriage license duly issued by a Clerk of Orphans' Court and must be officiated by one of the following individuals specifically recognized under Pennsylvania law as authorized to officiate.

EFFECTIVE January 1, 2005 Common Law Marriage is NO LONGER valid in Pennsylvania

1503. PERSONS QUALIFIED TO SOLEMNIZE MARRIAGES:

(A) General rule – The following are authorized to solemnize marriages between persons that produce a marriage license issued under this part:

1. A Justice, Judge, or Magisterial District Justice of this Commonwealth
2. A former or retired of the above listed who is serving as a senior Judge or Senior Judge or senior Magisterial District Judge as providing or prescribed by Law, or not serving as a senior Judge or Senior Magisterial District Judge but Meets the following criteria;
 - i. Has served as a Magisterial District Judge or Justice, whether or not continuously or on the same court, by election or appointment for a aggregate period equaling a full term of office;
 - ii. Has not been convicted of, pleaded nolo contendere to or agreed to an Accelerated Rehabilitative Disposition or other probation without verdict program relative to any misdemeanor or felony offenses under the laws of this Commonwealth or a equivalent offense under the laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico, or a foreign nation;
 - iii. Has not resigned a judicial commission to avoid having charges filed or to avoid prosecution by Federal, State, or local law enforcement agencies or by the Judicial Conduct Board;
 - iv. Has not been removed from office by Court of Judicial Discipline; and
 - v. Has not been removed from office by Court of Judicial Discipline; and
 - vi. Is a resident of this Commonwealth.
3. An active or senior Judge or full-time Magistrate of the District Courts of the United States for the Eastern, Middle, or Western District of Pennsylvania.
 - (3.1) an active, retired, or senior bankrupted Judge of the United States Bankrupted Court Eastern, Middle, or Western District of Pennsylvania who is a resident of this Commonwealth.
4. An active, retired or senior Judge of the United States Court of Appeals for the third Circuit who is a resident of this Commonwealth.
5. A Mayor of any city or borough of this Commonwealth.
 - (5.1) A former Mayor of a city or borough of this Commonwealth who:
 - i. Has not been defeated for reelection;
 - ii. Has not been convicted of, pleaded nolo contendere to or agreed to an Accelerated Rehabilitative Disposition or other probation without verdict program relative to a misdemeanor or felony offense under the laws of this Commonwealth or an equivalent offense under the laws of the United States of any one of its possessions,

another states, the District of Columbia, the Commonwealth of Puerto Rico, or a foreign nation;

iii Has not resigned the position of mayor to avoid having changes filed or to avoid prosecution by Federal, State, or local law enforcement agencies;

iv. Has served a Mayor; whether continuously or not, by election for an aggregate of a full term in office; and

v. Is a resident of this Commonwealth.

6. A minister, priest, or rabbi of any regularly established church or congregation.

(B) Religious organization – Every religious society, religious institution, or religious organization in this Commonwealth may join persons together in marriage **when at least one of the persons is a member of the society, institution, or organization,** according to the rules and customs of the society, intuition, or organization.

(C) Marriage license needed to officiate – No person or religious organization qualified to perform a marriage shall officiate at a marriage ceremony without the parties having obtained a marriage license issued under this part.