

## PERFORMING WEDDINGS IN NEW YORK STATE\*

(Please note that the Town of Rhinebeck does not require wedding officiants to register.)

The question who is qualified to perform a marriage ceremony is one of state, rather than county or town law. Please look at section 11 of the NYS domestic relations law and section 2 of the NYS religious corporations law, which say in part:

### *Domestic Relations*

*§11. By whom a marriage must be solemnized. No marriage shall be valid unless solemnized by either: 1. A clergyman or minister of any religion, or by the senior leader, or any of the other leaders, . . . provided that no clergyman or minister as defined in section two of the religious corporations law, or Society for Ethical Culture leader shall be required to solemnize any marriage when acting in his or her capacity under this subdivision. . . .*

### *Religious Corporations*

*§2. Definitions. The term "clergyman" and the term "minister" include a duly authorized pastor, rector, priest, rabbi, and a person having authority from, or in accordance with, the rules and regulations of the governing ecclesiastical body of the denomination or order, if any, to which the church belongs, or otherwise from the church or synagogue to preside over and direct the spiritual affairs of the church or synagogue.*

You might also take a look at the New York State Department of Health website <http://www.health.ny.gov/publications/4210/>, which says in part:

*To be valid, a marriage ceremony must be performed by any of the individuals specified in Section 11 of the New York State Domestic Relations Law. These include:*

- 1. the mayor of a city or village;*
- 2. the former mayor, the city clerk or one of the deputy city clerks of a city of more than one million inhabitants;*
- 3. a marriage officer appointed by the town or village board or the city common council;*
- 4. a justice or judge of the following courts: the U.S. Court of Appeals for the Second Circuit, the U.S. District Courts for the Northern, Southern, Eastern or Western Districts of New York, the New York State Court of Appeals, the Appellate Division of the New York State Supreme Court, the New York State Supreme Court, the Court of Claims, the Family Court, a Surrogates Court, the Civil and Criminal Courts of New York City (including Housing judges of the Civil Court) and other courts of record;*
- 5. a village, town or county justice;*
- 6. a member of the clergy or minister who has been officially ordained and granted authority to perform marriage ceremonies from a governing church body in accordance with the rules and regulations of the church body;*
- 7. a member of the clergy or minister who is not authorized by a governing church body but who has been chosen by a spiritual group to preside over their spiritual affairs;*
- 8. other officiants as specified by Section 11 of the Domestic Relations Law.*

*The person performing the ceremony must be registered with the City of New York in order to perform a ceremony within the New York City limits. The officiant does not have to be a resident of New York State. Ship captains are not authorized to perform marriage ceremonies in New York State.*

**.\*You know it, this is NOT legal advice from the Town of Rhinebeck, but merely some helpful things to point you in the right direction. You are responsible for figuring this out all on your lonesome—no excuses.**