



WEDDINGS IN “PENN’S WOODS”

The purpose of this newsletter is to educate pastoral ministers who prepare couples for marriage or assist persons seeking an annulment about canon law. However, a recent question that we received at the tribunal reminded us that it is helpful for ministers to also have a working knowledge of civil marriage law. For the overachievers out there (or the insomniacs) Pennsylvania’s marriage laws can be found in the P.A. Code, Title 23, Part I, chapters 1-19. Here we will focus on the highlights.

Who can officiate marriages?

Besides certain government figures, a minister, priest, or rabbi of any regularly established church or congregation can officiate a marriage when at least one of the persons being married is a member of that organization.

Who can get married?

All marriages in Pennsylvania require a valid marriage license. The following persons are prohibited from receiving a license:

- Minors under 16 years of age
- Minors under 18 years of age without the consent of their custodial parent or guardian
- The mentally incompetent
- Persons under the influence of alcohol or drugs at the time they apply for the license
- Blood relatives
- Persons bound by another legally recognized marriage

How does a couple apply for a marriage license?

Both parties must appear in person, with proof of identity, and complete the application for the license. They can do so at any county courthouse in Pennsylvania. There is a modest processing fee. There is also a three-day waiting period after the application is submitted before the license will be issued, though the court can waive this requirement in the event of emergency or extraordinary circumstances.

How long is a marriage license valid?

A marriage license is valid for 60 days from the date of issuance.

What do I do with the marriage license?

The marriage certificate should be signed by the officiant and given to the bride and groom. The duplicate certificate should be signed by the officiant and returned to the court which issued the license within ten days.

Can I officiate a marriage if the couple doesn’t have a marriage license?

No. State law requires all persons who marry to have a valid license, and canon law requires the observance of civil laws, “insofar as they are not contrary to divine law and unless canon law provides otherwise” (canon 22). While canon law does provide for the possibility that a couple who cannot marry according to civil law could marry in the Church (canon 1071 §1, 2°), such an extraordinary action requires the permission of the local ordinary. As a general rule, in compliance with state law, this permission is not granted in our diocese.

That’s it for civil law. Back to canon law next time. Until then, keep the faith, love God’s people, and always honor the code!

