

# **Testimony SB0133 Designation for Marriage Ceremony**

Uploaded by: Mahasin El Amin

Position: FAV

**SB0133 Family Law - Marriage Ceremony - Designation of Deputy Clerk**  
**Judicial Proceedings Committee – January 31, 2023**  
**Sponsor: Senator Michael Jackson**  
**Position: Favorable**

**Testimony of Mahasin El Amin, Clerk of the Circuit Court, Prince George’s County**

Thank you, Chairman Smith, Vice Chairman Waldstreicher, and members of the committee, for this opportunity to testify in support of Senate Bill 133. For the record, my name is Mahasin El Amin, Clerk of the Circuit Court for Prince George’s County. Thank you, Senator Jackson, for sponsoring SB 133.

The Clerks of the Circuit Court support SB 133, transferring the authority to designate a deputy clerk to perform a marriage ceremony, from the county administrative judge of the circuit court to the clerk of the circuit court in each county.

Currently, Judges, Clerks of the Circuit Court, and Deputy Clerks of the Circuit Court are authorized to perform civil marriage ceremonies in the State of Maryland, under the authority granted in section 2-406 of the Family Law Article. Judges and the Elected Clerks have direct authority to perform civil marriage ceremonies, but Deputy Clerks must be designated by the Administrative Judge in each county. The process of designation is through an administrative order by the administrative judge. This means that even though Clerks have direct authority to perform marriage ceremonies, we must request and receive approval from our local Administrative Judge any time we would like to assign one of our staff to assist us in performing marriage ceremonies in the courthouse. We believe it is an unnecessary bureaucratic step and an infringement of the authority as the elected official to direct the work of our own staff.

In a jurisdiction such a Prince George’s County, with a staff of over 200, I must request an administrative order requesting the previous order to be rescinded and a new order to be

issued designating the current and new deputy clerks who will perform marriage ceremonies. It should also be noted that the Elected Clerks of the Circuit Courts are not required to seek such designations and approval within our offices, such as who can handle confidential filings like search warrants and adoptions.

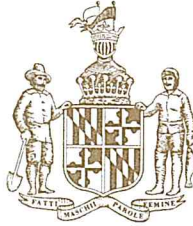
Therefore, the Circuit Court Clerks hope you will give a favorable report on SB 133, and we would like to thank Senator Jackson for sponsoring this bill. Thank you for the opportunity to comment, and I am available if you have any questions.

# **SB133JacksonTestimony.pdf**

Uploaded by: Michael Jackson

Position: FAV

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***TESTIMONY - SENATE BILL 133***  
***FAMILY LAW – MARRIAGE CEREMONY –***  
***DEPUTATION OF DEPUTY CLERK***  
***JUDICIAL PROCEEDINGS COMMITTEE***  
***JANUARY 31, 2023***

Chair Smith, Vice Chair Waldstreicher, and Committee Members:

Senate Bill 133 is a very straightforward bill that simply allows for the deputization of Deputy Clerks of the Court to perform marriage ceremonies throughout Maryland.

This is a simple piece of legislation that merely allows for more efficiency in the offices of Clerks of the Court throughout our State. Elected Clerks of the Court in Maryland perform thousands of marriage ceremonies in Maryland each year. Local Clerks of the Court have a myriad of responsibilities in addition to performing marriage ceremonies and their schedules are often incredibly full. Allowing these elected officials to delegate some of their authority to their Deputy Clerks would provide them with the flexibility to more efficiently carry out their other duties and more efficiently serve the public.

Individuals wishing to be married in their local courthouse could be more effectively served if they didn't have to wait to schedule appointments with their elected Clerks but were instead allowed to be married by Deputy Clerks designated by their elected Clerks.

**For the reasons listed above, I ask for a favorable report of Senate Bill 133.**

# **Testimony SB0133 Designation for Marriage Ceremony**

Uploaded by: Scott Poyer

Position: FAV

**SB0133 Family Law - Marriage Ceremony - Designation of Deputy Clerk**  
**Judicial Proceedings Committee – January 31, 2023**  
**Sponsor: Senator Michael Jackson**  
**Position: Favorable**

**Testimony of Scott Poyer, Clerk of the Circuit Court, Anne Arundel County**

Thank you, Chairman Smith, Vice Chairman Waldstreicher, and members of the committee, for this opportunity to testify in support of Senate Bill 133. For the record, my name is Scott Poyer, Clerk of the Circuit Court for Anne Arundel County.

The Clerks of the Circuit Court support SB 133, transferring the authority to designate a deputy clerk to perform a marriage ceremony, from the county administrative judge of the circuit court to the clerk of the circuit court in each county.

Generations ago, Judges were involved in performing marriage ceremonies in Maryland. In the 1700's weddings which were not performed by clergy were performed by Judges. However, since at least 1963, this function has largely been transferred to the Clerks of the Circuit Court. Today, the Clerks and our staff issue approximately 30-40,000 marriage licenses and conduct 10-20,000 marriage ceremonies in a typical year. The only involvement of Judges these days is in performing an occasional marriage ceremony themselves, which may amount to a couple of dozen weddings a year. As a practical matter, the Clerks believe that allowing us direct authority to designate our staff to conduct the wedding ceremonies that our office is responsible for, would be more efficient and better reflect current practice.

The Circuit Court Clerks hope you will give a favorable report on SB 133, and we would like to thank Senator Jackson for sponsoring this bill. Thank you for the opportunity to comment, and I am available if you have any questions.