

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George’s County, with a staff of over 200, I must request an administrative order requesting the previous order to be rescinded and a new order to be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