

CERTIFICATE OF FILING

(MS 517.05)

There are two types of marriages in Minnesota. One being the **civil** ceremony which is performed by individuals authorized through the courts. Second being a **religious** ceremony which is performed by ministers of any religious denomination. Before a minister is authorized to perform marriages within MN, they must file their “credentials of license or ordination” with a Local Registrar within the state of MN.

For religious denominations who do not require their officiants to be ordained or licensed (such as the Amish) – statute allows a “Letter of Authorization” from their church leaders authoring that individual to perform marriages for their spiritual assembly.

It is suggested that the original document (ordination or letter authorizing) be submitted to the office for the Local Registrar to make a copy of that original and attach it to the Certificate of Filing. The submitter needs to read and sign the “Certificate of Filing”. Only accept original signatures, not copies of a signed Certificate of Filing. If the minister would like to do this process through the mail and does not want to submit his original document through the mail – send them the Certificate of Filing. They must make a copy of the credentials or letter authorizing, attach it to the original Certificate of Filing form, complete the form and submit both to the Local Registrar for filing.

By having the submitter read the statute (a part of the Certificate of Filing) which outlines their requirements and having them sign that document, it puts the responsibility of complying with that statute on the submitter’s and not the Local Registrars.

Keep in mind that statute does not clearly identify an acceptable form of credential or letter of authorization. Because of this the Local Registrar does not really have the authority to reject any document being submitted to comply with that statute. Also remember:

517.16 IMMATERIAL IRREGULARITY OF OFFICIATING PERSON DOES NOT VOID.

A marriage solemnized before a person professing to be lawfully authorized to do so shall not be adjudged to be void, nor shall its validity be in any way affected, on account of a want of jurisdiction or authority in the supposed officer or person, if the marriage is consummated with the full belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.

Which means, if the couple believes the person who married them had the authority to do so but didn’t, it’s immaterial and they have been lawfully joined.

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MS 517.04 SOLEMNIZATION PERSONS AUTHORIZED TO PERFORM MARRIAGES.

Marriages may be solemnized throughout the state by an individual who has attained the age of 21 years and is a judge of a court of record, a retired judge of a court of record, a court administrator, a retired court administrator with the approval of the chief judge of the judicial district, a former court commissioner who is employed by the court system or is acting pursuant to an order of the chief judge of the commissioner's judicial district, the residential school administrators of the Minnesota State Academy for the Deaf and the Minnesota State Academy for the Blind, a licensed or ordained minister of any religious denomination, or by any mode recognized in section 517.18.

MS 517.05 CREDENTIALS OF MINISTER.

Ministers of any religious denomination, before they are authorized to solemnize a marriage, shall file a copy of their credentials of license or ordination or, if their religious denomination does not issue credentials, authority from the minister's spiritual assembly, with the local registrar of a county in this state, who shall record the same and give a certificate thereof. The place where the credentials are recorded shall be endorsed upon and recorded with each certificate of marriage granted by a minister.

I do hereby acknowledge that I have read the above Minnesota State Statutes and confirm that I am qualified under MS 517.04 to perform marriage and believe the attached document is in compliance with MS 517.05.

____ My authority to perform marriages expires on _____.
____ My authority to perform marriages has no expiration date.

Dated: _____

(Signature of Minister)

STATE OF MINNESOTA
COUNTY OF _____

The documentation you have presented, which you state is in compliance with MS 517.05, has been filed in this office on _____ day of _____, 20____

File No.: _____

(insert name & title of local registrar)

By: _____
Deputy Local Registrar