

## **Guidelines for CREs Officiating at Weddings Winnebago Presbytery**

Within the scope of ministry pastors are often asked to officiate at weddings. These weddings may include members, non-members, and friends of the congregation, family, and the extended community. The challenge is to understand the scope of ministry and how the role of officiating occurs both within and outside of the calling congregation. There are several issues that arise when it comes to interpreting who is allowed to officiate at marriages.

According to the *Book of Order*:

W-4.9001 Christian Marriage

Marriage is a gift God has given to all humankind for the well-being of the entire human family. Marriage is a civil contract between a woman and a man. For Christians marriage is a covenant through which a man and a woman are called to live out together before God their lives of discipleship. In a service of Christian marriage a lifelong commitment is made by a woman and a man to each other, publicly witnessed and acknowledged by the community of faith.<sup>1</sup>

In accordance to Wisconsin Statutes, Chapter 765

765.16 Marriage contract, how made; officiating person.

Marriage may be validly solemnized and contracted in this state only after a marriage license has been issued therefore, and only by the mutual declarations of the 2 parties to be joined in marriage that they take each other as husband and wife, made before an authorized officiating person and in the presence of at least 2 competent adult witnesses other than the officiating person. The following are authorized to be officiating persons:

- (1) Any ordained member of the clergy of any religious denomination or society who continues to be an ordained member of the clergy.
- (2) Any licentiate of a denominational body or an appointee of any bishop serving as the regular member of the clergy of any church of the denomination to which the member of the clergy belongs, if not restrained from so doing by the discipline of the church or denomination.
- (3) The 2 parties themselves, by mutual declarations that they take each other as husband and wife, in accordance with the customs, rules and regulations of any religious society, denomination or sect to which either of the parties may belong.
- (4) Any judge of a court of record or a reserve judge appointed under s. 753.075.
- (5) Any circuit court commissioner appointed under SCR 75.02 (1) or supplemental court commissioner appointed under s. 757.675 (1).
- (6) Any municipal court judge.

*History:* 1977 c. 323; 1979 c. 32 ss. 48, 92 (4); 1979 c. 176, 259; Stats. 1979 s. 765.16; 1981 c. 20 s. 2200; 1985 a. 29; 1991 a. 315; 1999 a. 85; 2001 a. 61.

765.17 Nonresident officiating person; sponsorship. Any member of the clergy, licentiate or appointee named in s. 765.16 who is not a resident of this state may solemnize

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<sup>1</sup> Book of Order, 2011-2013, W-4.9001 Christian Marriage

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marriages in this state if he or she possesses at the time of the marriage a letter of sponsorship from a member of the clergy of the same religious denomination or society who has a church in this state under his or her ministry.

*History: 1979 c. 32 ss. 48, 92 (2); 1979 c. 176; Stats. 1979 s. 765.17; 1981 c. 142; 1991 a. 315. "Church under his or her ministry" discussed. 60 Atty. Gen. 92.*<sup>2</sup>

Note, the state does not recognize temporary licenses or "minister for a day" ordinations. Religiously associated officiators must be ordained as part of a recognized church or religious institution, and must continue to be ordained. Some counties within the state also require the minister to provide a certificate of ordination or show his or her credentials to register with the Register of Deeds. The County Clerk's office will then issue a certificate of authority to officiate at marriages, and will keep that on record.

Since the presbytery serves as the commissioning body for Commissioned Ruling Elders (CRE), it is therefore within the presbytery's authority to determine the function of that ministry. The presbytery can commission CRE's to particular service of a church which may include officiating at weddings.<sup>3,4</sup>

After review of the legal statutes and in understanding of polity outlined in the Book of Order, we recommend the following guidelines for officiants:

Commissioned Ruling Elders (CRE):

1. CRE's may officiate at marriages within the congregation to which he/she is commissioned where Winnebago Presbytery has included this function within the commission. [WS 765.16(2)] [G-2.1001]
2. A CRE is limited to a specific pastoral commission; as such he/she may not officiate at marriages outside of the congregation of commission, nor serve at large as an agent of the State.
3. CRE's are not authorized to officiate at marriages outside of the State of Wisconsin by the limits of the commission. [G-2.1001]

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<sup>2</sup> <http://legis.wisconsin.gov/rsb/stats.html>

<sup>3</sup> Book of Order, 2011-2013, G-2.10

<sup>4</sup> <http://www.winnebago-presbytery.org/wp-content/uploads/2008/05/Lay-Pastor-Training-Program-updated-April-2010.pdf>