

**An Advisory Opinion of the
Stated Clerk of the Presbytery of Milwaukee**
The Rev'd Dr. Christian D. Boyd

RE: Weddings in General and During the Pandemic

July 18, 2020

I have recently been asked several questions regarding weddings in our Presbytery in light of the pandemic.

The Directory for Worship within the Constitution of the Presbyterian Church (U.S.A.) guides us in our theological understanding of the Covenant of Marriage and how we practice what we believe (W-4.06).

Furthermore, in fulfilling their responsibilities for worship, ministers, commissioned pastors, and sessions are accountable to presbytery (G-3.0301.a; W-2.0305).

The Foundation of Our Practical Theology

In Baptism, each Christian is claimed in the covenant of God's faithful love. Marriage is a gift God has given to all humankind for the well-being of the entire human family. Marriage involves a unique commitment between two people, traditionally a man and a woman, to love and support each other for the rest of their lives. The sacrificial love that unites the couple sustains them as faithful and responsible members of the church and the wider community.

Ministers or Commissioned Pastors Laboring in Bounds

Minister members of the Presbytery are free to preside at marriage ceremonies anywhere with the bounds of the Presbytery. The Presbytery also gives permission for minister members to preside at marriage ceremonies outside of the Presbytery bounds. However, the minister, if presiding outside of the bounds, should contact the local civil authority and the presbytery to inquire about specific legal requirements under civil law or ecclesiastical policies of that particular presbytery.

Commissioned pastors (ruling elder commissioned to pastoral services) may only preside at marriage ceremonies as they relate to their particular commission granted by the Presbyter of Milwaukee. Commissioned pastors shall not preside at marriage ceremonies outside of the bounds of the Presbytery.

Ministers of other denominations which seek to preside at marriage ceremonies on any church property of this Presbytery shall only be granted by act of the session and with the approval of the pastor. In this regard, sessions and pastors are to be guided by *Book of Order*, G-5.01.

Civil Law and Ministers/Commissioned Pastors as Agent of the State

In civil law, marriage is a contract that recognizes the rights and obligations of the married couple in society.

According to our Constitution, if the couple meets the requirements of the civil jurisdiction in which they intend to marry, a couple may request that a service of Christian marriage be conducted by a minister of the Word and Sacrament or Commissioned Pastor (ruling elder commissioned to pastoral services) in

the Presbyterian Church (U.S.A.), who is authorized, though not required, to act as an agent of the civil jurisdiction in recording the marriage contract.

A couple requesting a service of Christian marriage shall receive instruction from the minister or commissioned pastor, who may agree to the couple's request only if, in the judgment of the minister or commissioned pastor, the couple demonstrate sufficient understanding of the nature of the marriage covenant and commitment to living their lives together according to its values. This may be done electronically.

In making this decision, the minister or commissioned pastor may seek the counsel of the session, which has authority to permit or deny the use of church property for a marriage service. If the wedding is not on church property, the minister or commissioned pastor does not need to seek counsel of permission to preside at the marriage ceremony.

According to the WI Department of Health Services, which is the legal register for marriages, marriage by proxy as well as ceremonies by phone/internet camera hook-up, or by other electronic devices is prohibited in Wisconsin. The couple, officiant, and two competent witnesses must be physically present together at the time of the ceremony in order of the marriage to be legal (from the information sheet provided by all WI county clerks with marriage license applications. See also [DHS.Wisconsin.gov/publications/p01060.pdf](https://dhs.wisconsin.gov/publications/p01060.pdf)).

Act of Worship

In the Reformed tradition, marriage is also a covenant in which God has an active part, and which the community of faith publicly witnesses and acknowledges.

Per the Statutes of the State of Wisconsin, and the precise wording of the Directory for Worship, the couple, officiant, and two competent witnesses must be physically present together at the time of the ceremony in order of the marriage to be legal.

The marriage service shall be conducted in a manner appropriate to this covenant and to the forms of Reformed worship, under the direction of the minister or commissioned pastor and the supervision of the session if the service is on church property (W-2.03). During the pandemic, all in-person gatherings shall observe the protocols established by the session if on church property, and off church property ministers and commissioned pastors should be guided by the Presbytery Guidelines regarding in-person gatherings.

In a service of marriage, the couple marry each other by exchanging mutual promises. The minister or commissioned pastor witnesses the couple's promises and pronounces God's blessing upon their union.

The community of faith gathered pledges to support the couple in upholding their promises; prayers may be offered for the couple, for the communities that support them, and for all who seek to live in faithfulness.

Recognizing Civil Marriage

A service of worship recognizing a civil marriage and confirming it in the community of faith may be appropriate when requested by the couple. The service will be similar to the marriage service except that the statements made shall reflect the fact that the couple is already married to one another according to the laws of the civil jurisdiction.

This may be done electronically since the legal portion with the State has already occurred.

Nothing Shall Compel

Nothing herein shall compel a minister of the Word and Sacrament or a commissioned pastor to preside at a marriage they believe is contrary to the discernment of the Holy Spirit and their understanding of the Word of God.

Nothing herein shall compel a session to authorize the use of church property for a marriage service that the session believes is contrary to the discernment of the Holy Spirit and their understanding of the Word of God.