

December 1999

Greetings Florida Notaries!

Let me begin by introducing myself. My name is Jennifer Bertsch, and I am the new Notary Education Coordinator. I am thrilled to have the opportunity to assist and educate the many Florida Notaries Public. This month we'll discuss one of the more unique duties of a Florida Notary Public, which is to perform marriage ceremonies.

1. Procedure
2. Sample Ceremony
3. Frequently Asked Questions

Florida is one of only three states which authorizes notaries public to perform marriage ceremonies. To solemnize a marriage, you should follow this general procedure:

- The couple must obtain a valid Florida marriage license from a county court judge or a clerk of the circuit court and present it to the Notary Public before the marriage ceremony.
- The Notary Public performs the marriage ceremony. An example of a simple, civil ceremony will follow below. It may be personalized, and the bride and groom may even exchange their own vows so long as those vows reflect their intentions to make a legally binding commitment to each other.
- The Notary Public is responsible for completing the certificate portion of the marriage license and returning it to the office of the county court judge or clerk of the circuit court which issued the license within 10 days after solemnizing the marriage.

SAMPLE CEREMONY

Notary states, "Dearly beloved, we are gathered here today (tonight) to join this man and this woman in (holy) matrimony." Exchange of Vows Notary asks the man, "(his name), do you take this woman to be your wife, to live together in (holy) matrimony, to love, honor, comfort her and keep her in sickness and in health, and forsaking all others, for as long as you both shall live?" (Man answers, "I do".) Notary asks the woman, "(her name), do you take this man to be your husband, to live together in (holy) matrimony, to love, honor, comfort him and keep him in sickness and in health, and forsaking all others, for as long as you both shall live?" (Woman answers, "I do".) Notary states, "Repeat after me:" To the man: "I, (his name), take you (her name), to be my wife, to have and to hold from this day forward, for better, for worse, for richer, for poorer, in sickness and in health, to love and to cherish, till death do us part." To the woman: "I, (her name), take you (his name), to be my husband, to have and to hold from this day forward, for better, for worse, for richer, for poorer, in sickness and in health, to love and to cherish, till death us do part."

Exchange of Rings

Notary asks the man to place the ring on the woman's finger and to repeat the following, "I give you this ring as a token and pledge of our constant faith and abiding love." (Repeat the same for the woman).

Pronouncement

Notary asks the couple to join hands, then declares, "By virtue of the authority vested in me under the laws of the State of Florida, I now pronounce you husband and wife. The bride and groom may now exchange a kiss."

FREQUENTLY ASKED QUESTIONS

Is a Florida Notary Public authorized to perform a marriage ceremony outside the state of Florida? No. A Florida Notary Public may perform a marriage ceremony only within the geographical boundaries of this state. What fee may I charge when performing a marriage ceremony? The law provides that you may charge the same fee for solemnizing matrimony as the Clerks of the Circuit Court charge for the same service. That fee is set by law and is currently \$20. May I perform the marriage ceremony for a member of my family? Yes. You may perform a marriage ceremony for a person who is related by blood or marriage. The prohibition against notarizing the signature of a spouse, son, daughter, mother, or father does not apply because you are not notarizing the signature of the bride and groom. You are only certifying that the couple have been joined in marriage according to the laws of the State of Florida. Op. Att'y Gen. Fla. 91-70 (1991). Are witnesses required to sign the marriage certificate? Although the marriage certificate has spaces for two witnesses to sign, witnesses are not specifically required by law. However, it is recommended that two witnesses, other than the Notary, sign the marriage certificate in the event that proof of the marriage ceremony is necessary in the future. This and more information about performing marriage ceremonies may be found in "Performing Marriage Ceremonies: A Guide for Florida Notaries Public," a booklet provided by the Executive Office of the Governor. Please e-mail your request if you would like to receive this booklet. Be sure to include your name and address.

NOTARY SEMINARS

Additional notary seminars have been scheduled for the winter. We have engaged the services of the two national notary organizations to assist us in providing instruction to Florida Notaries. All of the seminars cover basic notarial duties and procedures, and update Notaries on any recent law changes. The fee is \$49 per student, which includes registration and materials. Here is the schedule of classes for the next few months:

CLASSES OFFERED BY THE NATION NOTARY ASSOCIATION

Miami- Wednesday, January 19, morning and afternoon
Fort Lauderdale- Thursday, January 20, morning
Fort Myers- Friday, January 21, morning
Jacksonville- Monday, January 24, morning
Orlando- Tuesday, January 25, morning and afternoon
St. Petersburg- Wednesday, January 26, afternoon
Tampa- Thursday, January 27, morning and afternoon

To obtain more information and to register for one of these classes, please call the National Notary Association at (800) 876-6827.

CLASSES OFFERED BY THE AMERICAN SOCIETY OF NOTARIES

Pensacola- Tuesday, December 7, afternoon
Crestview- Wednesday, December 8, morning
Panama City- Wednesday, December 8, afternoon
Marianna- Thursday, December 9, afternoon
Tallahassee- Friday, December 10, morning
West Palm Beach- Tuesday, January 25, morning
Fort Lauderdale- Tuesday, January 25, afternoon
Miami- Wednesday, January 26, morning and afternoon
Aventura- Thursday, January 27, morning
Coral Gables- Thursday, January 27, afternoon
Miami Beach- Friday, January 28, morning

To register or to request additional information, please contact the American Society of Notaries at (800) 522-3392, or e-mail ASN at mail@notaries.org.

Have a Happy Holiday Season!

Jennifer Bertsch
Notary Education Coordinator
State of Florida, Office of the Governor
FL_GOV_NOTARY@EOG.STATE.FL.US

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COORDINATOR](mailto:NOTARY_EDUCATION_COORDINATOR@EOG.STATE.FL.US)