STATE OF TENNESSEE
OFFICE OF THE ATTORNEY GENERAL

February 6, 2015

Opinion No. 15-14

Qualifications of Ministers Who May Solemnize Weddings

Question

Does the 1998 amendment to Tenn. Code Ann. § 36-3-301 invalidate or change Tenn. Att'y Gen. Op. U97-041 (Sept. 2, 1997)?

Opinion

No, Tenn. Att'y Gen. Op. U97-041 remains valid.

ANALYSIS

In Tennessee, solemnization of marriage is governed by statute. Bryant v. Townsend, 188 Tenn. 630, 633, 221 S.W.2d 949, 950 (1949). This Office has previously opined that ministers of the Universal Life Church are not permitted to solemnize marriages because they are not ordained by a considered, deliberate, and responsible act as was implicitly required by Tenn. Code Ann. § 36-3-301 (1997). See Tenn. Att'y Gen. Op. U97-041, at 4 (Sept. 2, 1997).

Tennessee Code Annotated § 36-3-301 was amended in 1998, and, as amended, it reinforces the 1997 opinion of this Office. The statute now explicitly provides, in pertinent part, as follows:

> In order to solemnize the rite of matrimony, any such minister, preacher, pastor, priest, rabbi or other spiritual leader must be ordained or otherwise designated in conformity with the customs of a church, temple or other religious group or organization; and such customs must provide for such ordination or designation by a considered, deliberate, and responsible act.

Tenn. Code Ann. § 36-3-301(a)(2) (emphasis added).

The process of becoming an ordained minister of the Universal Life Church has not materially changed since the issuance of Tenn. Att'y Gen. Op. U97-041. In fact, the Universal Life Church website states that the Church does "not require [its] ministers to earn traditional minister credentials." Instead, it offers "Instant Online Ordination," ordaining via e-mail anyone who completes the "Online Ordination Request Form." See Instant Online Ordination, Universal Life Church Ministries, http://www.ulc.org/become-a-minister/ (last visited Jan. 26, 2015). All that is necessary to become ordained is that the applicant provide a "valid legal" name, an e-mail address, a country, and a state, and confirm that he or she is "over the age of 13." Id. There is no

verification process; not even a street or mailing address is required. *See id.* And according to the website no training is required:

> Do I need to receive any training to become legally ordained through the ULC?
>
> Nope! While we would like for our ministers to learn about other religions and study spirituality, it is not necessary to take any courses to become a ULC minister. All it takes to [sic] for a person over the age of 18 to become ordained online through the ULC Ministries is a name, address, and e-mail address.

Minister Training, Universal Life Church Ministries, http://www.ulc.org/training-education/ (last visited Jan. 26, 2015).

Thus, every person over the age of 18 (or maybe 13) is eligible for immediate ordination without any further act in the Universal Life Church. Ordination is not done in conformity with the customs of a religious organization and, more importantly, is not in any way related to the statutory requirement that the person ordained be a spiritual leader. Moreover, other than the click of a mouse, no "considered, deliberate, and responsible act" as required by Tenn. Code Ann. § 36-3-301 is a prerequisite for ordination by the Universal Life Church.

Since the applicable statute has been amended to explicitly impose additional requirements and the ordination process does not meet the statutory requirements, persons ordained by the Universal Life Church are not qualified under Tenn. Code Ann. § 36-3-301 to solemnize a marriage. Accordingly, Tenn. Code Ann. § 36-3-301 as amended does not invalidate or change Tenn. Att'y Gen. Op. U97-041.

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