

York County–Poquoson Circuit Court
Policy for Authorization of Civil Marriage Celebrants
Pursuant to Virginia Code § 20-25 and 2026 House Bill 905
Effective Date: July 1, 2026

I. Purpose

This policy establishes the procedures and requirements for individuals seeking authorization from the York County–Poquoson Circuit Court Clerk's Office, hereafter referred to as “the Clerk’s Office”, to celebrate the rites of marriage in the Commonwealth of Virginia pursuant to Virginia Code § 20-25, as amended by 2026 Virginia House Bill 905.

II. Authority

Virginia Code § 20-25 authorizes the Clerk of the Circuit Court to issue an order authorizing one or more persons to celebrate the rites of marriage in the Commonwealth. Authorization is discretionary and may be granted or denied by the Clerk. The Clerk may also require the applicant to enter into a bond in the amount of \$500 prior to performing any marriage ceremony.

III. Eligibility Requirements

Authorization to celebrate the rites of marriage is granted at the sole discretion of the Clerk and may be approved, denied, limited, or conditioned in accordance with §20-25, and as otherwise identified in this policy.

As a matter of policy of the Clerk’s Office, applicants seeking authorization to celebrate the rites of marriage ceremony pursuant to §20-25 shall satisfy the following:

1. Be at least eighteen (18) years of age;
2. Be a resident of the County of York or City of Poquoson;
3. Submit a completed application on a form approved by the Clerk;
4. Provide valid government-issued identification;
5. Pay all applicable filing fees; and post a secured bond
6. Comply with all statutory requirements and this policy established by the Clerk's Office.

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IV. Bond Requirement

As a condition of authorization, the Clerk's Office will require each applicant to post a \$500 cash bond prior to the issuance of an authorization order. In addition, pursuant to Virginia Code § 17.1-275(A)(6), the applicant shall pay a non-refundable \$3.00 bond filing fee at the time the bond is posted.

The bond shall:

1. Be submitted to the Clerk in cash format;
2. Be held by the Clerk's Office until all statutory duties related to the marriage ceremony have been completed;
3. Serve as assurance that the celebrant will properly execute and timely return the marriage certificate (both copies A and B) within 5 days after the ceremony as required by law.

The Clerk may withhold release of the bond until all required documents have been received and accepted by the issuing clerk's office.

V. Duties of Authorized Celebrants

Individuals authorized under this policy shall:

1. Perform the marriage ceremony in accordance with Virginia law;
2. Accurately complete all portions of the marriage license on both copies A and B immediately following the ceremony;
3. Return the completed marriage license containing both copies A and B to the Clerk's Office that issued the marriage license within five (5) days of the ceremony, or as otherwise required by law; and
4. Comply with all directives issued by the Clerk's Office.
5. Return a certified copy of the marriage license, *if* such marriage license was issued by another Virginia Circuit Court.

VI. Rescission of Authorization

The Clerk may rescind an authorization order at any time for:

1. Failure to comply with Virginia law;
2. Failure to comply with this policy;
3. Failure to timely return the completed marriage license as required by law.
4. Misrepresentation or omission of material information in the application process; or

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5. Any conduct deemed inconsistent with the proper administration of the marriage laws of the Commonwealth.

VII. Limitation of Authorization

Authorization granted under this policy:

1. Does not create an employment relationship with York County, the City of Poquoson, or the Circuit Court;
2. Does not confer status as an officer or employee of the Commonwealth;
3. Is limited to the authority expressly granted in the authorization order; and
4. May be revoked at any time.

VII. Bond Release

The \$500 bond shall be released upon verification that all requirements have been met:

1. The marriage ceremony has been performed in accordance with the authorization order;
2. The completed marriage certificate has been returned timely and accepted by the appropriate Clerk's Office; and
3. All requirements of Virginia law and this policy have been satisfied.

The Clerk may delay release of the bond pending resolution of any deficiencies or outstanding requirements.

Clerk Certification

This policy is adopted by the York County–Poquoson Circuit Court Clerk's Office and shall remain in effect until amended or rescinded.

Approved: July 1, 2026

Kristen N. Nelson
Clerk of Circuit Court

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