

Some clerks ax nuptials so they won't have to marry gays

Lisa Robbins, WTLV- and WJXX-TV, Jacksonville, Fla. 8:58 p.m. EST January 2, 2015

Clerks in at least five Florida counties say they'll end courthouse weddings for everyone so they won't have to marry same-sex couples starting next week. VPC



(Photo: Rob O'Neal, AP)

JACKSONVILLE, Fla. — Clerks in at least five Florida counties say they'll [end courthouse weddings](http://www.firstcoastnews.com/story/news/local/2015/01/02/law-firm-to-marry-gay-couples-after-courthouse-stops-ceremonies/21192277/) (<http://www.firstcoastnews.com/story/news/local/2015/01/02/law-firm-to-marry-gay-couples-after-courthouse-stops-ceremonies/21192277/>) for everyone so they won't have to marry same-sex couples starting next week.

They'll still be forced to issue marriage licenses to gay couples, thanks to U.S. District Judge Robert Hinkle's ruling on New Year's Day. His Thursday ruling clarifies that all 67 Florida court clerks should begin issuing the licenses starting Tuesday, when a stay expires on Hinkle's original decision invalidating the state's ban on

same-sex marriage expires.

"I believe marriage is between a man and a woman," Ronnie Fussell, Duval County clerk of courts, told [The \(Jacksonville\) Florida Times-Union](http://jacksonville.com/news/florida/2014-12-31/story/duval-clay-baker-counties-end-courthouse-weddings-avoid-marrying-gays) (<http://jacksonville.com/news/florida/2014-12-31/story/duval-clay-baker-counties-end-courthouse-weddings-avoid-marrying-gays>). "Personally it would go against my beliefs to perform a ceremony that is other than that."

So Fussell, who goes to a Southern Baptist church, and clerks in Baker, Clay, Okaloosa and Santa Rosa counties say they'll stop marrying both opposite- and same-sex couples.



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[Supreme Court won't stop gay marriages in Florida](http://www.usatoday.com/story/news/nation/2014/12/19/florida-gay-marriage/20665793/)

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Staffers in Duval County married their final couple Friday — at least until lawmakers or the courts decide to compel clerks offices to offer weddings for all couples. Other counties will stop at the end of the day Monday before the new rules go into effect.

"In the courthouse, there was a room specifically for these ceremonies that taxpayers paid for, and now no one is going to get the benefit of that," said Jacksonville lawyer Belkis Plata of Plata Schott Attorneys & Counselors at Law.

Until now, the Duval County Clerk of Courts Office offered couples the option of a \$30 ceremony right after they qualified for their \$93.50 marriage license. Florida residents have a three-day waiting period for a marriage license unless they pass a premarital preparation class from a registered provider, and Duval County knocks more than \$30 off the fee if they certify that they've had the course. (At least one online provider is touting its course as a way to avoid delays in obtaining a license.)

"They've had a difficult time for years as it is, getting their relationships acknowledged," Plata said. "Now that they've had this huge victory, now they're being shut down somewhere else. We want to help them as much as we can."

More than 3 in 5 Florida voters approved a state constitutional amendment in 2008 that prohibited same-sex marriage. But a series of rulings from judges in the state has found the ban to be a violation of the U.S. Constitution's 14th Amendment guarantees of equal treatment and due process.

State Attorney General Pam Bondi has appealed of Hinkle's ruling, but the U.S. Supreme Court has refused to issue a stay while the lawsuit plays out.

So starting Jan. 9, Plata's law firm, about four blocks from the Duval County Courthouse, plans to start officiating weddings for both gay and straight couples for the same fee as the clerk's office.



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(<http://www.usatoday.com/story/news/nation/2014/10/06/supreme-court-gay-marriage/16546959/>)

"It doesn't matter what our personal beliefs are," Plata said. "We've all had friends who have been in relationships we don't agree with, but who are we to say who they be with or not be with? If it's the law, you have to follow it."

Without a county court clerk to serve as an officiant, couples in the affected counties will have to find an ordained minister, judicial officer or notary public to marry them, according to Florida state law (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=741.07&URL=0700-0799/0741/Sections/0741.07.html).

Some clerks, such as Broward County Clerk Howard Forman, will begin issuing same-sex licenses at 12:01 a.m. ET Tuesday and have a group wedding at 3 a.m. Osceola and Palm Beach counties also are planning post-midnight nuptials.

Other counties will issue licenses to gay couples during regular business hours.

Still awaiting final decisions from judges on same-sex marriage licenses are Monroe and Miami-Dade counties, where circuit judges ruled the state's ban on same-sex weddings is unconstitutional but imposed stays that remain in effect. In Miami, Circuit Judge Sarah Zabel has a Monday morning hearing that could result in that stay ending.

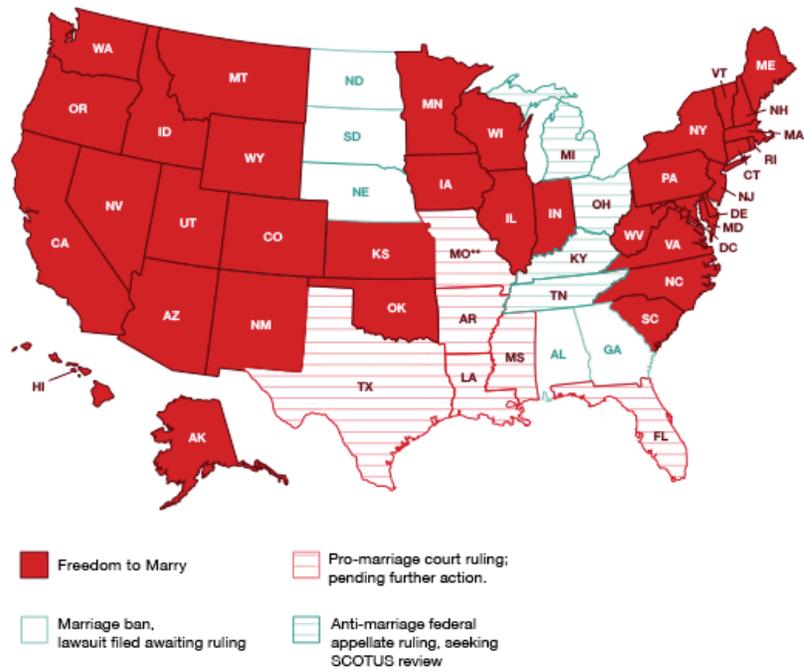
In anticipation of such a ruling, gay couples who were married legally in other states are holding a mass renewal of vows Tuesday night in Miami Beach.

In gay-friendly Monroe County, which includes the Florida Keys, the lawyer for a gay couple planning to get married as soon as possible filed a motion Friday asking for that stay to be dissolved. The couple, Aaron Huntsman and William Lee Jones, filled out their license application Friday at Key West's Monroe County Courthouse before court clerk Amy Heavilin.

"After all the work and stuff we did trying to get this marriage equality thing through, it's very relieving," Jones said. "A lot of the stress is gone — now it's just nerves for the wedding."

Contributing: The Associated Press

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Last Updated December 4, 2014

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