

10 Simple Steps to Ensure Legal Ordination

How many times have you been asked to officiate a wedding? For many of you I'm sure too many to remember. But no matter how many times you have been asked, did you ever at any point question the validity or legality of your ordination?

Such was the case with Craig. He had recently planted a new church just outside of Pearland, Texas when a long-time friend reached out to him to ask if he would officiate his wedding later that summer. Thrilled and honored, Craig said that he would be glad to play a role in his friend's big day; however, he had one "small" concern creep up in the back of his mind. He was not sure if he had the necessary credentials to perform the wedding.

Becoming properly ordained

As congregations grow, ministers often find themselves being asked to officiate weddings. And while most ministers see it as an honor to be able to participate in such an event, **it is important to know without a shadow of a doubt that your ordination is legal.**

Most ministers are under the impression that in order for their ordination to be "valid", they can only become ordained through a more established church organization, such as a denomination, or even a theological seminary. In addition, ministers buy into the myth that "I cannot be ordained by my own church". **The fact of the matter is that both of these notions are incorrect.**

In fact, you are able to start a church, establish it on a solid legal foundation, and then become legally ordained right through the very church that you started.

Now, you may be thinking, "Getting ordained through my own church sounds great and everything, but can't I just get an ordination online?" Well, the truth of the matter is **you can obtain an ordination online, however, you will want to think twice before doing so.** Let me explain.

What about online ordinations?

If you were to do an Internet search for online ordinations, you would find no shortage of available options. Although online ordinations are easy and convenient to obtain, the important question to ask is, "**Are online ordinations valid for legal purposes?**"

In recent years, the states and Congress have expressed concern over the proliferation of online and mail order ordinations. **Those concerns are not regarding the ordination of ministers as a whole, but whether those ministers who receive an online ordination are authorized to solemnize marriages.**

In the court case **Cramer v. Commonwealth**, a group of ministers ordained by the Universal Life Church (ULC) had their rights to conduct marriage ceremonies taken away by the Circuit Court of Richmond, VA. This group of ministers appealed the decision to the Supreme Court of Virginia, asking it to rule that any minister who is able to provide documentation proving his/her ordination from any religious organization be allowed to conduct marriage ceremonies in the state of Virginia.

The Supreme Court of Virginia heard the appeal from the ministers of Universal Life Church in order to decide whether it was truly a religious organization. Below are some of the highlights from the case:

- **It was determined that the relationships between ministers of the ULC and ULC itself was nearly non-existent.**
- **It was also revealed that the ULC's ordained ministers had few meetings with, or as, a congregation. In some instances there were no meetings or gatherings at all.**
- **The meetings or gatherings that did occur tended to be at a one's home or other public locations (such as restaurants), and that the topics discussed during the gatherings were often not of a religious nature.**

The lower courts denied the officiants the right to perform weddings on the premise that ministers ordained to conduct such ceremonies should be in the ministry full-time. Although the Supreme Court of Virginia disagreed with the lower court's ruling, stating that in Virginia there were plenty of good ministers that served their congregations as well as anyone while also maintaining other employment. This, however, was not enough for them to rule in favor of the appellants.

The Supreme Court of Virginia made sure to make certain that this particular case had nothing to do with religious freedom. Because of the legal nature of marriage, the need for a legally ordained minister is necessary. The Supreme Court of Virginia recognized the "necessity that the marriage contract itself be memorialized in writing and by a person of responsibility and integrity and by one possessed of some educational qualifications."

In essence, there are 2 things that we can take away from this ruling:

1. **The Supreme Court of Virginia looked for a formal process.** They contended that the selection or election of an ordained minister "must be a considered, deliberate, and responsible act."
2. **The states cannot give preference to more established churches.** In other words, you can become legally ordained through the very church that you start. Now that is some good news!

Let us next look at how you can ensure that the ordination you receive from the very church you start is legal.

How to ensure that your ordination is compliant

As we have just seen, the courts have determined that to receive a legal ordination, it does not matter how long your church has been in existence or how large your church is. Yet, **how can you be sure that the ordination you receive from your very own church and the ordinations that others receive from your church are legal in the eyes of the courts?**

I teach at all of our [Ultimate Church Structure Conferences](#) that it is necessary that your church create an ordination program. This fulfills the courts' requirement that all ordinations given "**be a considered, deliberate, and responsible act.**"

To help fulfill this requirement, your church should create a licensing and ordination program that is comprised of the ten components shown below:

1. Make sure that all of your corporate documents, such as the articles of incorporation, constitution and bylaws, and board meeting minutes contain language stating that you intend on having or already have a licensing and ordination program.
2. Require that a certain set of criteria be met by the applicant, such as classes, on-the-job training, volunteer work at the church, and being involved in the local ministry, and keep a good record of all ministers that are licensed/or serving under the apprenticeship of a pastor.

3. Require an application with a fee.
4. Require an exam to be taken and passed with a minimum required score.
5. Establish a formal process of commissioning.
6. Assign the ordination an expiration/renewal date.
7. Require a renewal process by either application or written letter requesting a renewal.
8. Keep a good record of all ministers that are commissioned, licensed, ordained, active, inactive, and revoked.
9. Make sure that his/her role as a minister is conveying your church's message and mission.
10. Require that the minister maintain a meaningful relationship with the ordaining church by attending conferences or services at least once a year.

It is important to note that even though you are the lead pastor of the church you planted, you should still abide by the requirements of your church's ordination program to ensure that your ordination remains legal in the eyes of the law. If your ordination program contains all ten components, it will meet the requirements of all fifty states in regards to licensing and ordination and how it relates to employment and tax law.

A foundation for the future

Today, Pastor Craig's church has not only legally ordained him, but it has also been able to legally ordain 5 other ministers of the gospel. If you happen to have any questions regarding your ordination or your church's ordination program, please feel free to give our office a call at ☎ 770-638-3444, or join us at one of our [Ultimate Church Structure Conferences](#) where we discuss ordination and the ten components discussed above in more detail.