



RICHARD P. IEYOUNG
ATTORNEY GENERAL

State of Louisiana

DEPARTMENT OF JUSTICE

Baton Rouge

70804-9005

P.O. Box 94005
TEL: (504) 342-7013
FAX: (504) 342-7335

OPINION 02-0111

APR 04 2002

Honorable Frank J. Cali
Justice of the Peace
P. O. Box 279
Patterson, LA 70392

57 Justices of the Peace

R.S. 9:203(C); R.S. 9:204

A justice of the peace who is defeated in the next election may retain the authority to perform marriage ceremonies, provided he has served in that office for at least eighteen years, and he meets the mandatory registration requirements.

Dear Judge Cali:

In response to your inquiry of recent date, it is the opinion of this office that a justice of the peace may retain the power to perform marriage ceremonies after serving eighteen years in that office. R.S. 9:203(C) provides:

C. A retired justice of the peace who has served a total of eighteen years in that capacity shall retain his authority to perform marriage ceremonies within the territorial limits authorized in Subsection A of this Section provided he registers to perform such ceremonies as required by R.S. 9:204.

A retired justice of the peace must continue to register to perform such ceremonies as provided by R.S. 9:204:

§204. Officiant other than judge; registration

An officiant, other than a judge or justice of the peace, may perform marriage ceremonies only after he registers to do so by depositing with the clerk of court of the parish in which he will principally perform marriage ceremonies, or, in the case of Orleans Parish, with the office of the state registrar of vital records, an affidavit stating his lawful name, denomination, and address.

Thus, if you are defeated in the next election, you may still retain the authority to perform marriage ceremonies.

Very truly yours,

RICHARD P. IEYOUNG
ATTORNEY GENERAL

BY:


KERRY L. KILPATRICK
ASSISTANT ATTORNEY GENERAL

KLK:ams