

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2015-020
(Supersedes Administrative S-2002-110)**

MARRIAGE LICENSES

Section 741.04(3), Florida Statutes, provides that if a couple seeking a marriage license has not submitted to the clerk valid certificates of completion of a premarital preparation course, the effective date of the marriage license will be delayed 3 days from the date of application. This statutory provision also provides for exceptions to the delayed effective date requirement for Florida residents asserting hardship. It is necessary for the proper and efficient issuance of marriage licenses that procedures be adopted for the determination of hardship.

It is also necessary to establish procedures for amending marriage licenses when scrivener errors occur.

By the power vested in the chief judge by article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b)(2), it is therefore **ORDERED**:

1. Hardship Waiver of Delayed Effective Date

In cases in which the Clerk of the Circuit Court (clerk) issues a marriage license, the clerk may grant a waiver of the delayed effective date requirement upon a showing that the delay would cause a significant and substantial financial or personal hardship upon the person(s) seeking the waiver. In all cases in which the clerk is unable to grant a waiver and the marriage license applicant asserts a hardship, the clerk will forward the application to a county court judge who may grant a waiver of the delayed effective date requirement upon a showing of good cause.

2. Amendment for Scrivener Error

A. Definition of "scrivener error"

For purposes of this administrative order, the term "scrivener error" means a typographical error made prior to issuing the marriage license and the error relates to the name, birth date, social security number or any other information of either party required under section 741.04(1), Florida Statutes.

B. Authority Delegated to Clerk

The clerk is authorized to amend a marriage license without further order of the court if (1) the marriage license reflects a scrivener error; (2) the license originated from Hillsborough County, Florida; and (3) it does not appear that the scrivener error relates to a date of birth that would have prevented the issuance of the original license under section 741.0405(1) and (4), Florida Statutes. The clerk may establish other internal operating procedures to verify the information which is sought to be corrected.

C. Scrivener Error Related to Minor Status

If it appears the scrivener error relates to a date of birth that would have prevented the issuance of the original license under section 741.0405(1) and (4), Florida Statutes, the clerk may not issue an amended marriage license unless authorized by a court order.

D. Presence of Spouses

The spouse requesting an amendment to the marriage license must be the person whose information is inaccurate. Both spouses must be present when requesting an amended, duplicate, or replacement license, unless one spouse is deceased, in which case a certified copy of a death certificate is required.

3. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2002-110 (*Issuance of Marriage Licenses*).

4. Effective Date

This administrative order is effective April 1, 2015.

It is ORDERED in Tampa, Hillsborough County, Florida on this 26th day of March, 2015.


Ronald N. Ficarrota, Chief Judge

Original to: Pat Frank, Clerk of the Circuit Court
Copy to: All County Court Judges