

Justices of the Peace in New England States

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Issue

Which other New England states authorize justices of the peace to perform duties like those of Connecticut's justices of the peace, who appoints them, and do any of those states impose caps on the fees justices of the peace may charge for performing a wedding ceremony?

Summary

Of the New England states, Massachusetts, New Hampshire, Rhode Island, and Vermont have justices of the peace who are authorized to perform duties similar to those of justices of the peace in Connecticut (e.g., perform marriage ceremonies, administer oaths, witness signatures). (Though in [Rhode Island](#), justices of the peace may not perform marriage ceremonies.) In [Maine](#), the office of Justice of the Peace was merged with the notary public system in the mid-1980s (in Maine, notaries can perform marriage ceremonies).

Connecticut Justices of the Peace

In Connecticut, the duties of a justice of the peace are prescribed by statute. These include administering oaths, acknowledging certain legal documents, and issuing tax warrants.

For information about justices of the peace in Connecticut, please refer to OLR Report [2016-R-0004](#).

In Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont justices of the peace are appointed by the governor or elected for terms ranging from two to seven years. Massachusetts is the only New England state that caps the fee that justices of the peace may charge to perform a wedding ceremony.

Appointment and Term Length

Table 1 describes the selection process and term length for justices of the peace in Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Table 1: Justice of the Peace Selection and Term Length

<i>State</i>	<i>Selection Process</i>	<i>Term Length</i>	<i>Relevant Law</i>
Connecticut	Selected at the town-level; 2/3 are selected by the major political parties and 1/3 of the positions are reserved for electors who are not members of the major parties	Four years	CGS § 9-183a et seq.
Massachusetts	Governor appointment, with advice and consent of executive council	Seven years	MA Const. Pt. 2, C. 2, § 1, Art. 9; Pt. 2, C. 3, Art. 3; Mass. Gen. Laws ch. 222, § 1 et seq. and ch. 207, § 38
New Hampshire	Governor, with advice and consent of executive council	Five years	N.H. Const. Pt. 2, Art. 75 and N.H. Rev. Stat. Ann. § 455-A:1
Rhode Island	Governor	Four years	RI Const. Const. Art. 10, § 7 and RI Gen. Laws § 42-30-3
Vermont	General municipal election	Two years	VT Const. CH II, § 52, Vt. Stat. Ann. tit. 4, § 491

Fee Caps

Massachusetts is the only New England state that caps the fee that justices of the peace may charge to perform a wedding ceremony. Under the law, a justice may charge up to \$100 to perform a marriage ceremony in his or her home community and up to \$150 if the ceremony is performed in another municipality. The law generally prohibits justices from charging additional fees for travel expenses; providing flowers, music, or a photographer; or providing a location for the ceremony or an unofficial marriage certificate. But they may charge an additional fee for premarital counseling conferences, rehearsals, and certain other special requests, provided the additional charges are disclosed to the couple in writing at least 48 hours before rendering services ([Mass. Gen. Laws ch. 262, § 35](#)).

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