

[A Wedding Dossier: Part I](#)

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Body

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Author Note: Performing weddings is part of the life of a judge. During my almost 36 years as a judge, while I never kept count, I'm sure I must have celebrated at least a hundred weddings. Many were uneventful; the few that I write about had some unusual twists and turns. Weddings performed by judges are, by their nature civil ceremonies, not religious ones. In my experience, most of the celebrants came from different religious upbringings and the presence of a judge to perform the ceremony was an obvious compromise. I note that I was pleased to play a small part in the eventual judicial recognition of same sex marriages (See my dissent in 'Hernandez v. Robles,' [26 AD3d 98](#) (1st Dept., 2005)).

Judges perform weddings. The law empowers them to do so. Some judges enjoy performing weddings, others not so much. I was somewhat in the middle. There are strict ethical restrictions forbidding a judge from accepting any sort of substantial gift for performing a wedding; often a bottle of wine is offered as recompense and a paid car service to and from the affair. One of the side benefits is that you get to enjoy a meal at some of the more toney venues in New York City—such as Balthazar, One Madison Park and the Carlyle Hotel—places where you might never go on a judge's salary. And you generally get to bring your spouse, partner or significant other so it's a paid for Saturday night date. Of course, you will probably be relegated to a table in the back of the room where you will be seated with the videographer and assorted functionaries tasked with making sure the wedding goes off smoothly. But, no matter, the food and booze are still the same and if your spouse or partner has harangued you in the past for never going dancing, well, you were now covered.

Anyway, and I am recollecting this from the distant past, it was late in 1982, my first year on the bench, and a more senior colleague approached me and asked if I would take a wedding request off his hands and substitute for him. I was only too happy to oblige. He provided me with the particulars. It was to be a cocktail reception affair at Windows on the World, an elegant venue atop the former World Trade Center. There were to be about 40 to 50 guests.

I asked for the form of ceremony he used and he happily obliged. I then collected a few other ceremonies used by some other of my colleagues of mine and I was on my way with a cut and paste job. Judges are very cooperative about sharing ceremonies that they have used and many have bulging files. Along with the actual vows, most ceremonies contain a lot of flowery language with quotations from the Bible, lines from Shakespeare, Emily Dickenson and even Bob Dylan. They all started the same way: "Friends and family of A and B, we are gathered here to join A and B in lawful matrimony (or marriage) and at the end, after the exchange of vows the Proclamation: And now, by the authority vested in me by the laws of the State of New York, I pronounce you husband and wife. All of this was of course before same-sex marriage became the law of the land.

After a bunch of revisions, I had a workable ceremony, and I was set.

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I was ready! I practiced and practiced the ceremony in front of my bathroom mirror until I almost knew it by heart.

The big day arrived and wearing my best blue pin-striped suit and red power tie and carrying my robe in a Duane Reade shopping bag, I arrived at Windows on the World at the top of the former World Trade Center with stunning views. I had talked to the couple on the telephone previously and we chatted a bit upon my arrival and agreed that the signing of the license with the witnesses would take place after the ceremony.

I put on my robe and had a drink and nibbled on hors d'oeuvres and made some small talk with some guests. Pretty soon the invited crowd had all gathered and the affair was ready to begin. The restaurant's director motioned me to the front of the room and directed the guests to take their seats.

I was appreciative that the director had arranged a lectern for me; it enabled me to hide the pages of the ceremony and more importantly, my shaking fingers.

I probably should have pointed this out earlier but the reason most couples choose a judge to perform their wedding is because it is usually a "mixed" wedding ceremony, meaning that each individual is of a different religion.

"Mixed marriage" was the popular term in those days. And, even in a civil ceremony, sometimes one side tries to infuse a little bit of their religion into the ceremony. Just taking a detour for a moment, I remember one ceremony where the Jewish bride-to-be upon finding out that I was Jewish requested that I intone a Hebrew prayer while breaking a glass under my foot, symbolic of the destruction of the ancient Jewish Temple. The groom, a Catholic fellow, had declined the same request made to him, so the bride-to-be asked me. Although, it would have been a simple thing to do, I didn't want to get involved in any lingering controversies between the couple and I also declined on the ground that I was not a Rabbi, but an arm of the State.

Anyway, back to this my first ceremony. It seemed to proceed effortlessly. I read from some poems of Elizabeth Barrett Browning and also a lovely passage from Corinthians. As I approached the most important part—the actual vows part where the couple exchange rings, and commit to one another, I asked what seemed to be a question poached from the ancient common law: "Does anyone here object to the union of this couple? Speak now or forever hold your peace?"

Silence. Not a word of objection. I was prepared to proceed to the finale, when suddenly, through a side entrance came an obviously inebriated man whom I recognized as the bride's father, and who had looked none too pleased at the impending marriage during the pre-ceremony cocktail hour. Now, he was not only displeased, but vocal, casting his obvious venom at the man standing next to his daughter, yelling in somewhat fractured English.

"I object," he thundered as he staggered to one side, at which time he was restrained by several beefy male relatives who bear hugged him and tried to thrust him out of the room.

The bride-to-be looked around in horror. "Daddy," she screamed as her father continued his diatribe both in English and in Hebrew with increased invective. Finally he was removed and the guests quickly turned their attention back to me. I was stunned by all of this—like a deer caught in the proverbial headlights. In what seemed like the passage of a long-time interval, I finally got hold of myself and decided to push through with the remainder of the ceremony, to the relief of everyone.

In a voice as firm as I could muster, I declared: "By the authority vested in me by the laws of the State of New York, as a judge of the Civil Court of the City of New York, I now declare you husband and wife in the eyes of the law."

As I drove home that evening from this unruly baptism, I mulled over the ugly scene that seemingly arose from that innocuous question and I made a mental note to never ask it again. And I never did.

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