AFFIDAVIT OF COMMON LAW MARRIAGE

Your name ________________________________

Common Law Spouse’s name ________________________________

The concept of common law marriage is recognized by some states. Typically, the necessary elements are co-habitation, declaration of marriage, and representation of yourselves as husband and wife to the public.

Couples claiming common law marriage should be aware that there is no such thing as a common law divorce. A common law spouse may be entitled to distribution of property, support, and/or maintenance.

You have requested that The University of Alabama in Huntsville (UAH) consider the common law spouse that you listed above as a dependent for the following purpose(s): ___________________________.

In order for UAH to determine eligibility for such purpose(s), please answer the following questions and provide the following documentation.

Any person who knowingly and with intent to defraud or deceive the State of Alabama gives false, incomplete or misleading information on this affidavit may be subject to any remedies available under law.

1. Is there any legal impediment to your marriage, including but not limited to, a prior marriage of either party that has not been legally terminated by death or divorce?

   Yes
   No

2. Are you living in a husband and wife relationship exclusive of all others?

   Yes
   No
   a. Indicate the date you entered into your common law marriage _____/_____/_____ (month/day/year).
   b. In what State did you reside on that date? __________________________

3. Are you presented and known throughout your community as husband and wife?

   Yes
   No

4. Did you file your last income tax return indicating that you were married?

   Yes
   No

   In either event, please provide a copy of the first page of your income tax return for the past three years. If the person you are claiming as a common law spouse filed a separate return, please provide a copy of the first page of his/her federal return for the past three years as well. You may redact information disclosing income, deductions, credits and other financial information.
5. Do you have real property or titled personal property as husband and wife?
   
   Yes                     No
   
   If you answered yes, please provide a copy of the auto registration or title, deed or property tax statement.

6. Do you have joint checking and/or savings accounts?
   
   Yes                     No
   
   If the answer is yes, please provide a copy of your most recent bank statement.

7. The following children have been born to me or my lawful spouse and we hereby acknowledge such children to be our lawful issue (list names and birth dates).
   
   Name __________________________ Date of Birth __________________________
   Name __________________________ Date of Birth __________________________
   Name __________________________ Date of Birth __________________________
   
   I hereby certify that the above listed information is true and correct.

   ____________________________  ____________________________  ______________
   Name of Affiant (please print)  Signature of Affiant  Date

   ____________________________  ____________________________  ______________
   Name of Affiant (please print)  Signature of Affiant  Date

   Subscribed and sworn to before me this ______ day of __________________, 20____.

   ____________________________  ____________________________  ______________
   (SEAL)                      My commission expires:

   ____________________________  ______________
   ______________, 20____