

AFFIDAVIT ATTESTING TO THE EXISTENCE OF COMMON LAW MARRIAGE

By signing this Affidavit below, you represent that you have established a valid marriage under common law. A valid common law marriage is a marriage under state law having all the legal consequences of a ceremonially performed marriage. Not all states provide for the establishment of common law marriage. Pennsylvania does not recognize common law marriages entered into on or after September 17, 2003. If the relationship you identify below is not a valid common law marriage, you may not, for example, enroll your intended spouse for coverage as a dependent under the PEBTF Medical Plan.

Employee and Common Law Spouse Information

We, _____ and _____, the undersigned do hereby affirm, under penalty of perjury, that we meet all legal requirements to be married under common law. As evidence of our marriage, we represent that we

- 1) have cohabited for _____ years; and
- 2) hold ourselves out to the community as husband and wife; and
- 3) neither one of us is currently married to another individual; and
- 4) expressly agreed to and entered into a common law marriage on _____(enter date of marriage).

We each sign this affidavit as evidence of our marriage and represent that we have been married since the date in 4) above and have filed federal and/or state income tax returns indicating that we are married. As evidence of our marriage, we agree to provide to the PEBTF, through the local HR office, two of the documents identified below. We understand that the PEBTF may copy the documents for its records.

- The original deed to the employee's home, if owned jointly.
- The original automobile title, if owned jointly.
- The original statement of a current bank account that is held in joint name.
- The original copy of the employee's Will, identifying the spouse.
- A copy of the cover page (indicating filing status) and signature page (if a different page) of the employee's Federal income tax return, which indicates marital status, from 2002. For privacy reasons, the numbers showing income and deductions should be blanked out.

We also agree to provide to the PEBTF a copy of any applicable divorce decree if either of us was previously married. Although Pennsylvania recognizes certain common law marriages, you may obtain divorce only through the appropriate legal process.

Signature of the Employee

Signature of the Spouse

Employee Number

On this _____ day of _____, 20_____, before me appeared _____ and _____, the affiants who being duly sworn, affirm that the facts contained therein are true and correct and acknowledge that they executed in the same for the purpose therein recited.

Notary Public