

**STATE OF RHODE ISLAND  
OFFICE OF EMPLOYEE BENEFITS – 222-3160**

**AFFIDAVIT OF COMMON LAW MARRIAGE**

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Common-Law Spouse Name

1. We hereby certify that we meet all of the following criteria:
  - We are each at least eighteen (18) years of age and mentally competent to contract.
  - We are not related by blood to a degree which would prohibit marriage in our state of legal residence.
  - Neither of us is married to anyone else, and neither of us has been married to anyone since \_\_\_\_\_ [date of most recent formal decree of divorce].
  - We reside together and have resided together for at least one (1) year.
  - We have considered ourselves to be married and have conducted ourselves such that our friends, family, and community consider us married.

2. Evidence of our holding ourselves out to the public as husband and wife include at least one of the three items listed in section A OR at least two of the three items listed in section B:  
Section A:

- A public wedding ceremony was performed (provide documentation).
- We have checked “married” on tax returns, loan/mortgage applications, employment applications, or similar documents (please provide a recent example). Please note that a credit card application is not adequate documentation of your status.
- We own real estate as “tenants by the entirety” or “joint tenants” (please provide a copy of the deed).

Section B:

- One or both of us wears a wedding band.
- We maintain joint bank accounts (please provide a copy of a bank statement with the account number(s) and amounts redacted).
- We have designated each other as “spouse” or primary beneficiary of our life insurance, disability insurance, pension plan benefits, or similar benefits (please provide a copy of the most recent beneficiary election form).

3. We agree to notify the Office of Employee Benefits if the status of this relationship changes - including termination of the relationship or failure to meet any of the criteria listed in #1 above no later than 30 days from the date of such change.

