

STATEMENT OF COMMON-LAW MARRIAGE

On your application for DCF benefits, you state there is a common-law marriage between

_____ and _____

Common-law marriages are accepted under Kansas law. DCF will accept your common-law marriage if you meet all three requirements below. Please circle the answers for the circumstances that existed when you first considered yourselves common-law married.

1. Capacity to marry?

(a) Age.

For common-law marriages which began prior to July 2002:

The wife was at least 12 years old. Yes No
The husband was at least 14 years old. Yes No

For common-law marriages which began on or after July 2002:

The wife was at least 18 years old. Yes No
The husband was at least 18 years old. Yes No

(b) Legal capacity.

(Neither person was married to another person at the time and any divorce from a previous marriage was final.) Yes No

2. Agreement?

(This means you both agreed at that time to be married.) Yes No

3. Holding out as married?

(This means you held yourselves out to the public as husband and wife.) Yes No

If you have answered "yes" to all of the questions, a common-law marriage exists. All of the legal responsibilities that go with marriage will be expected of you. Please complete and sign the statement below.

STATEMENT

We have read and we understand the above information. We agree that we consider ourselves to be common-law married to each other. We have considered ourselves common-law married since:

_____ We certify under penalty of perjury that the above information is true.

(Month/Day/Year).

X

Husband's Signature Date

X

Wife's Signature Date

County/State _____

County/State _____

EES Specialist Date

Job Title Date

Note to EES Specialist: Completion of this form may be requested to document any common-law marriage; however, it can be required only when the marriage relationship affects the eligibility or benefit determination.

Distribution: Original – Agency File, Copy – Client.