### .01 Common Law Marriage

REVISION 04
**(04/01/08 – 06/30/08)**

In some states, couples who live together are considered legally married even though no wedding ceremony was performed. Common law marriages are legal only in certain states. (See Common Law States (g) )

Participants that move to Arizona from another state may be considered married by common law when ALL of the following occurred in any common law state:

- The participants reside together.

- The participants are adults (18 years and older).

- The participants are not legally married to another person at the same time.

- The participants present themselves to the community as husband and wife. This may include using the same last name or filing a joint income tax return.

- The participants express an intent to marry.

- The participants established the common law relationship in accordance with time frames specified by the common law state.

Navajo tribal members may be considered married by common law when ALL of the following occurred on the Navajo reservation:

- The participants reside together as man and wife.

- The participants are adults (18 years and older).

- The participants established the common law relationship in accordance with Navajo tradition.

When it is determined that a participant is considered married by common law in a common law state or on the Navajo reservation, FAA recognizes the common law relationship as MARRIED.  This includes participants who were considered common law married prior to becoming Arizona residents and common law married Navajo tribal members who move off the Navajo reservation.

Key the following in AZTECS:

- Key  SP  in the REL field on SEPA for the common law married spouse.

- Key  MA  in the MAR STA field on MAST for the common law married participants.

Verify common law status when questionable.  (See Verification process)