

The Truth About Common Law Marriage

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There is a difference between common law marriage and cohabitation. In some cases if you are a cohabitant, you could be considered single and in some cases if you are common law married you are considered married as if you did it the traditional way.

The difference between cohabitation and common law marriage is critical. If you are a cohabitant, you may be legally considered single; if you are common law married, you are legally considered married to the same degree as if you had a ceremony. So, how do you know if you are married in the eyes of the law? Common law marriages are recognized in only certain states, including the District of Columbia, Alabama, Colorado, Iowa, Kansas, Montana, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas and Utah.

In order to qualify for a common law marriage, you and your partner, in general, must agree either in writing or orally to enter into a husband/wife relationship, hold yourselves out as husband and wife and acquire a reputation as a married couple. The length of time you've cohabitated may play a role in the determination of common law marriage. Common law marriages typically are limited to heterosexual couples. If you and your partner live in any of the states that recognize common law marriages and do not want the state to consider you as married, you may wish to consult with a lawyer and create a document that would establish your relationship as unmarried cohabitants. Jeffrey Broobin is a free-lance writer on family and finance issues; his main goal is to help people during their complicated period of life. Website: <http://www.legalhelpmate.com> Email: jeffreyb@legalhelpmate.com