

## AFFIDAVIT OF COMMON LAW MARRIAGE

You are requesting that we consider the common law spouse that you list below as a dependent under a common law marriage relationship. The following questions must be answered and returned to State Human Resources before your request can be reviewed.

Any person who knowingly and with intent to defraud or deceive the State of Kansas gives false, incomplete or misleading information on this affidavit may be subject to any remedies available under law.

I. The following questions are to be completed by the employee:

1. Your name \_\_\_\_\_ Social Security Number \_\_\_\_\_
2. Common Law Spouse's name \_\_\_\_\_  
Common Law Spouse's Social Security Number \_\_\_\_\_
3. Are you presented and known throughout your community as husband and wife? Yes  No
4. Are you living in a husband and wife relationship? Yes  No  If yes,
  - a. Indicate the date you entered into your common law marriage (month/day/year)
  - b. If yes, in what state did you reside on that date?
5. Do you have real property or titled personal property as husband and wife? Yes  No   
If you answered yes, please provide a copy of the auto registration or title, deed or property tax statement.
6. Did you file your last income tax return indicating that you were married? Yes  No   
If your answer is yes, please provide a copy of your last income tax return.
7. Do you have joint checking and/or savings accounts? Yes  No   
If the answer is yes, please provide a copy of your financial statement.
8. Are there any factors which would prevent the two of you from marrying, including but not limited to, a prior marriage of either party that has not been legally terminated by death or divorce? Yes  No

9. The following children have been born to my lawful spouse or me and we hereby acknowledge such children to be our lawful issue (list names and birth dates).

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

10. The following children have been born to my lawful spouse (list names and birth dates).

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

I hereby certify that the above listed information is true and correct.

\_\_\_\_\_  
Name of Employee (please print)                      Signature of Employee                      Date

\_\_\_\_\_  
Name of Spouse (please print)                      Signature of Spouse                      Date

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

**STATE OF KANSAS  
COMMON LAW SPOUSE**

II. The following questions are to be completed by an individual other than the State of Kansas employee or their common law spouse or any of their children:

1. Name of State of Kansas Employee \_\_\_\_\_
2. Name of Common Law Spouse \_\_\_\_\_
3. What is your relationship to the State of Kansas employee? (Mother, father, cousin, etc. - if not related, state "None")
4. What is your relationship to the individual they have indicated is their common law spouse? (herein referred to as the common law spouse)
5. To your knowledge are the State of Kansas employee and the common law spouse generally know as husband and wife? Yes  No
6. Do you consider them husband and wife? Yes  No   
If yes, explain why you consider them to be husband and wife.

I know that any person who knowingly and with intent to defraud or deceive the State of Kansas gives false, incomplete or misleading information on this affidavit may be subject to any remedies available under law.

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Name (please print)	Signature	Date
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Home Address	City	State	Zip Code	Telephone Number
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Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
My commission expires \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)