

# Pipe Industry Health and Welfare Fund of Colorado

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Administered by  
Welfare & Pension Administration Service, Inc.

## AFFIDAVIT OF COMMON-LAW MARRIAGE

STATE OF COLORADO

} SS

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ (“Eligible Employee”), and \_\_\_\_\_ (“Spouse”), of lawful age, being first duly sworn upon their oath, state as follows:

1. We have lived together continuously as husband and wife from \_\_\_\_\_ 20 \_\_\_\_ to the present time.
2. During the aforesaid period of time, we have professed to be husband and wife, and we have held ourselves out to the community in which we live as being married during that time.
3. We hereby publicly acknowledge that we are married by common law, and that both of us consent and agree to be husband and wife, and to assume all of the legal responsibilities and duties of lawfully married persons.
4. We hereby recognize that once a common-law marriage has been established, it can only be dissolved by a judicial divorce decree.
5. The children listed, if any, in this affidavit have been born to or adopted by “Eligible Employee” and he/she hereby acknowledges such children to be his/her lawful issue.
6. Our relatives, friends, neighbors, and acquaintances generally consider us to be husband and wife at the present time.
7. \_\_\_\_\_ (“Eligible Employee”), is currently covered by the Pipe Industry Health and Welfare Fund of Colorado (“Fund”) as an eligible employee or retiree, and \_\_\_\_\_ (“Spouse”), is his/her lawful spouse who desires to be covered as an eligible dependent pursuant to the Rules and Regulations of the Fund.
8. The Eligible Employee hereby certifies that he/she is not presently married to any other person than the above-named Spouse.
9. If the Eligible Employee has previously been married to any person other than the above-named Spouse, he/she hereby certifies that said prior marriage has been fully terminated as evidenced by the attached certified copy of the divorce decree dissolving the said prior marriage.
10. The Spouse hereby certifies that he/she is not presently married to any person other than the above-named Eligible Employee.
11. If the Spouse has previously been married to any person other than the above-named Eligible Employee, he/she hereby certifies that said marriage has been terminated as evidenced by the attached certified copy of the divorce decree dissolving the said prior marriage.

12. The following children are presently living with the Eligible Employee and the above-named Spouse in their home; they are dependent upon the Eligible Employee for financial support and the Eligible Employee is entitled to claim a deduction on his/her federal income tax return for each of the children listed below:

Last Name	First Name	Sex	Birthdate		
			Mo	Day	Year

13. The Eligible Employee understands and acknowledges that the Board of Trustees of the Pipe and Industry Health and Welfare Fund of Colorado must approve the dependent status of the Spouse and children listed in the affidavit before the said Spouse or children are eligible to receive benefits under the Pipe Industry Health and Welfare Fund of Colorado.

FURTHER, Affiants sayeth not.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
NAME

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
NAME

\_\_\_\_\_  
ADDRESS

**NOTARY**

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

By \_\_\_\_\_ and \_\_\_\_\_

Who personally appeared before me and who are personally known to me, a notary public in the state of Colorado.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

## **CONSEQUENCES OF COMMON-LAW MARRIAGE**

Even though you have not been married by a ceremony, if you have entered into a common-law marriage, that is, if you are living with a member of the opposite sex with the present intent to be married and if you represent yourself to others as husband and wife, the consequences of marriage follow including:

- ✓ The parties to a marriage are jointly liable for family expenses.
- ✓ Once formed, a common-law marriage can be terminated only by death or dissolution. Upon dissolution, either spouse may be required to pay separate maintenance, attorney's fees, child support for any child of the marriage, and the court is free to apportion marital property acquired during the marriage regardless of how titled and the increase in value of the separate property of either spouse.
- ✓ The common-law spouse is entitled to inherit from the deceased spouse and cannot be disinherited.

## **INFORMATION NEEDED WITH AFFIDAVIT OF COMMON-LAW MARRIAGE**

1. Copies of the last three income tax returns for each of the parties.
2. Copies of all the titles of automobiles owned or used by the parties.
3. Copies of all divorce decrees or decrees for dissolution of marriage, together with any order or stipulation for child support.
4. Copies of birth certificates for each of the children who will be covered in the event a common-law marriage is recognized.
5. Rent receipts, utility company bills and telephone bills for each of the parties for the last three months.
6. An affidavit from two persons who are not related to each other and who can affirm that there is in fact a common-law marriage.
7. Any other document that indicate that parties are now holding themselves out as husband and wife.