

**JEFFERSON COUNTY COMMISSION**  
**COMMON LAW MARITAL AFFIDAVIT**

**SWORN STATEMENT**

We, the undersigned \_\_\_\_\_ employee (print name) and \_\_\_\_\_ spouse (print name), hereby swear and affirm that we are legally married to each other under the laws of the State of Alabama as of the date below. We acknowledge that this spouse designation cannot be changed without proof of a spouse's death (*i.e.*, death certificate) or a judgment of divorce rendered by a court of competent jurisdiction. We certify that the following are true and accurate statements:

1. We are over the age of 18 (age 14 with parental consent) and are married to each other under the laws of the State of Alabama.
2. We, by mutual agreement and consent, entered into a common law marriage relationship with one another on \_\_\_\_\_ (date of cohabitation).
3. We have lived together, and are living together as the date hereof, as husband and wife and have permanently, mutually and openly assumed marital duties and obligations.
4. We have held ourselves out, and do presently hold ourselves out, to the public as husband and wife.

**(Provide at least two sources of evidence that you and your spouse live together and hold yourselves out to the community as being husband and wife. Examples of acceptable evidence include copies of your and your spouse's driver's licenses, a copy of a lease listing both names, a copy of a deed indicating joint title to property, a copy of state or federal income tax return identifying you and your spouse as married, or copies of bank statements containing both names. )**

We understand, acknowledge and agree that this Common Law Marital Affidavit is provided to the Director of Human Resources of Jefferson County, Alabama for the purpose of determining our eligibility for employee benefits, including health, dental and vision insurance, and other employee benefits available to employees of Jefferson County. We further understand, acknowledge and agree that false, misleading or incomplete information in this Common Law Marital Affidavit may result in criminal or civil prosecution for fraud, the revocation of benefits and/or disciplinary action, which may include termination of employment for a first offense.

We further understand, acknowledge and agree that this Common Law Marital Affidavit may, at the discretion of Jefferson County, be filed with the Probate Court of Jefferson County. If this affidavit is filed with the Probate Court, we understand, acknowledge and agree that Jefferson County and members of its Human Resources Department will use its best efforts to protect personal information, if any, in the filing. Further, we agree that in no event will Jefferson County or members of its Human Resources Department be liable for any personal information improperly used by or taken from the Probate Court.

By signing this Common Law Marital Affidavit, we further agree that we will notify the Director of Human Resources if the information contained herein becomes untrue and incorrect.

Signature of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Spouse: \_\_\_\_\_ Date: \_\_\_\_\_

**STATE OF ALABAMA )**

**JEFFERSON COUNTY )**

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that \_\_\_\_\_, whose name is signed to the foregoing Common Law Marital Affidavit and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he or she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
[NOTARIAL SEAL] Notary Public  
My commission expires:

**STATE OF ALABAMA )**

**JEFFERSON COUNTY )**

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that \_\_\_\_\_, whose name is signed to the foregoing Common Law Marital Affidavit and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he or she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
[NOTARIAL SEAL] Notary Public  
My commission expires: