

COMMON LAW MARRIAGE AFFIDAVIT  
FOR THE  
LABORERS' DISTRICT COUNCIL BENEFIT FUNDS

I \_\_\_\_\_ ("Member") and I \_\_\_\_\_ ("Spouse"), being duly sworn, state as follows:

1. Member (Date of Birth \_\_/\_\_/\_\_; Social Security Number \_\_-\_\_-\_\_) is a participant in the Laborers District Council Benefit Funds (the "Funds").
2. Member and Spouse (Date of Birth: \_\_/\_\_/\_\_; Social Security Number \_\_-\_\_-\_\_) assert to the Fund that they entered into a common law marriage in Pennsylvania on \_\_\_\_\_, \_\_\_\_\_ in accordance with the common law of Pennsylvania as of that date by exchanging words with each other in the present tense with the specific purpose of establishing a legal relationship of husband and wife between themselves.
3. Member and Spouse declare that at the time that they entered into common law marriage, each was over the age of eighteen and were free to marry each other.
4. Following their marriage, Member and Spouse declared themselves to be married to family, friends, neighbors, and/or other members of their community.
5. As evidence of the common law marriage between themselves, Member and Spouse hereby present by attachment to this affidavit one (or more) of the following:
  - a. A deed to (or other documentary evidence of) Member and Spouse's principal residence prior to January 2, 2005, and, a deed (or other documentary evidence) of their current principle residence, if different, each listing themselves as joint tenants.
  - b. A record of a joint bank account in effect prior to January 2, 2005 between Member and Spouse, and, a record of a joint bank account currently in effect.
  - c. **Required:** Tax returns filed on behalf of Member and Spouse for the year in which they were married, and the most previously filed tax return.
  - d. Insurance policy entered into prior to January 2, 2005, and a current insurance policy indicating Spouse or Member as each other's spouse.
  - e. Joint credit application on behalf of Member and Spouse for purchase of a vehicle or other substantial purchase entered into prior to January 2, 2005, and a current joint application.
6. Member and Spouse understand that by signing this affidavit, Spouse will be entitled to certain legal rights under the Fund, including the right to receive a survivor annuity upon Member's death.
7. **(For Member only)** Member acknowledges that prior to his/her common law marriage to Spouse, initial as applicable:
  - a. \_\_\_ I have never been married to any other person.
  - b. \_\_\_ I had been previously married to the following individual(s) at the following place, and between the following dates:

Name: \_\_\_\_\_ Place of Marriage: \_\_\_\_\_ Dates of Marriage: \_\_/\_\_/\_\_ to \_\_/\_\_/\_\_

Name: \_\_\_\_\_ Place of Marriage: \_\_\_\_\_ Dates of Marriage: \_\_/\_\_/\_\_ to \_\_/\_\_/\_\_

Name: \_\_\_\_\_ Place of Marriage: \_\_\_\_\_ Dates of Marriage: \_\_/\_\_/\_\_ to \_\_/\_\_/\_\_

(Attach additional pages, as necessary)

and my prior marriage(s) was terminated legally by death, divorce, or annulment. I hereby present by attachment to this affidavit, evidence of the legal termination of my prior marriage(s) (e.g., divorce decree, death certificate, court order).

8. **(For Spouse only)** Spouse acknowledges that prior to his/her common law marriage to Member, initial as applicable:

- a.  I have never been married to any other person.
- b.  I had been previously married to the following individual(s) at the following place, and between the following dates:

Name: \_\_\_\_\_ Place of Marriage: \_\_\_\_\_ Dates of Marriage: \_\_\_\_\_  
\_\_/\_\_/\_\_ to \_\_/\_\_/\_\_

Name: \_\_\_\_\_ Place of Marriage: \_\_\_\_\_ Dates of Marriage: \_\_\_\_\_  
\_\_/\_\_/\_\_ to \_\_/\_\_/\_\_

Name: \_\_\_\_\_ Place of Marriage: \_\_\_\_\_ Dates of Marriage: \_\_\_\_\_  
\_\_/\_\_/\_\_ to \_\_/\_\_/\_\_

(Attach additional pages, as necessary)

and my prior marriage(s) was terminated legally by death, divorce, or annulment. I hereby present by attachment to this affidavit, evidence of the legal termination of my prior marriage(s) (e.g., divorce decree, death certificate, court order).

- 9. Member and Spouse understand that the Fund will consider them to be married until such marriage is terminated by death or divorce.
- 10. By signing the affidavit, Member and Spouse hereby apply to the LDC Benefit Funds to be recognized as husband and wife, with full knowledge of the civil and criminal penalties for misrepresentation or fraud, as well as all legal and equitable consequences under any LDC benefit fund (***Laborers' District Council Construction Industry Pension, Education and Training/Apprenticeship, Building and Construction Health and Welfare, Plasterer Tenders and Laborers' Health and Welfare, Heavy and Highway Construction Health and Welfare, Prepaid Legal, and Health and Safety Funds***) sponsored by the Laborers' District Council to which Member and Spouse may be subject by representing themselves as married. Member and Spouse affirm that all the facts set forth in, and documents presented as part of, this affidavit are true and correct to the best of their knowledge, information and belief.
- 11. Member and Spouse further acknowledge that prior to signing this affidavit each has had the opportunity to contact and receive the advice of their own counsel.

\_\_\_\_\_ Date:  
Signature of Member

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

State of: \_\_\_\_\_ County: \_\_\_\_\_

Sworn and Subscribed before me this \_\_ day of \_\_\_\_\_, \_\_\_\_\_

Signature: \_\_\_\_\_

Commission expires: \_\_\_\_\_