COMMON-LAW MARRIAGE


- 23 Pa. C. S. A. § 1103, Common-law marriage, reads as follows:
  
  No common-law marriage contracted after January 1, 2005, shall be valid. Nothing in this part shall be deemed or taken to render any common-law marriage otherwise lawful and contracted on or before January 1, 2005, invalid.


- Couples married under common law before 2005 may still file for a divorce in Pennsylvania.

More can be learned about common-law marriage in the following sources:

- Black’s Law Dictionary, 10th Edition, defines Common-Law Marriage as:
  o A marriage that takes legal effect, without license or ceremony, when two people capable of marrying live together as husband and wife, intend to be married, and hold themselves out to others as a married couple.
  o Today a common law-marriage, which is the full equivalent of a ceremonial marriage, is authorized in 11 states and in the District of Columbia. If a common-law marriage is established in a state that recognizes such marriages, other states, even those that do not authorize common-law marriage, must give full faith and credit to the marriage.
  o A common-law marriage can be dissolved only by annulment, divorce, or death.

- For Common-Law Marriage in general, see:

- For Proof of Common-Law Marriage, see:
  o The familiar misconception that a couple must cohabit (live together) for seven years in order to be married under common law is false. There is no minimum time needed.
  o To learn about proving the existence of a common-law marriage, see, 15 Summary of Pennsylvania Jurisprudence, 2d. Family Law § 1:28 (2d ed.)