VOLUME 7A, CHAPTER 12: “PURPORTED MARRIAGES”

SUMMARY OF MAJOR CHANGES

All changes are denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by bold, italic, blue, and underlined font.

The previous version dated February 2016 is archived.

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CHAPTER 12

PURPORTED MARRIAGES

1201 GENERAL

120101. Purpose

The purpose of this chapter is to establish policy for purported marriages and the related impact to military pay.

120102. Authoritative Guidance

The bibliography at the end of this chapter lists the authoritative references.

1202 VALIDATION OF PAYMENTS BASED ON PURPORTED MARRIAGES

120201. Authority for Validation

A payment of an allowance based on a purported marriage that is made under Title 37, United States Code (U.S.C.), section 423 or prior laws, before the marriage is annulled or terminated is valid if:

A. A court of competent jurisdiction adjudges or decrees that the military member entered the marriage in good faith; or

B. In the absence of such judgment or decree, the Secretary of the Military Department concerned or a person designated by the Secretary of the Military Department concerned makes a finding of good faith.

120202. Responsibility for Validation

Findings of good faith under subparagraph 120201.B are submitted to the offices listed in the Joint Travel Regulations (JTR), Chapter 10, Part B, subparagraph 10104.G.3, Determination and Validations. Purported marriages requiring such findings are listed in the JTR, Chapter 10, Part B, subparagraph 10104.G.

120203. Payments Not Validated

Payments based on invalid marriages are erroneous payments or overpayments unless validated.
BIBLIOGRAPHY

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37 U.S.C. § 423