

relationships and practical responsibility. We should celebrate the families that exist before us—in all their diversity—rather than reprimand people for “shacking up.”

The hope for a return to the traditional family reminds me of those paper fans from my childhood church. The pictures were idealized, yes, but they delivered a strong message: Fan Husbands and Fan Wives were inherently valued because they were married and spiritual.

Does this mean that the souls of Black folks will be saved through church-fan magic? That Black people will be “complete” if they marry? Many books claim that marriage improves our lives and makes us

better people. We’d all like to have a Tinker Bell wave her wand and give us more money, make us happier and make our children smarter, but it’s not going to come automatically from jumping brooms and tossing garters.

It is not the classification that makes people behave differently, and it shouldn’t be a classification that makes others take our families seriously. Marriage will not bring fathers home any more than fatherhood brings about marriage. Even without children, people in a marriage do not receive an automatic membership card to the good life. Unmarried people have fruitful relationships and strong families, but society always wants something more from us.

Pining for a marital uniformity of families overlooks the fulfilling relationships and rich love that characterize our lives. Unmarried people can have full lives without other people wishing they would take it further. We want our families to feel empowered, included and valued. I love my cohabiting home life for what it is now and what it promises to be in the future. We are “final” where we are. We don’t need a license from the state to prove our commitment or to gain respect. We have each other, and that is enough. □

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## KNOW YOUR RIGHTS

### The legal guarantees you are—and aren’t—entitled to as part of a cohabitating couple

BY LASHIEKA PURVIS HUNTER

So you’re thinking about moving in together but aren’t ready or willing to tie the knot? If you do cohabit, you’ll be among the growing trend of couples who are choosing to live together outside of marriage. According to a report conducted by the University of Virginia, a quarter of unmarried women age 25 to 39 are currently living with a partner, and more than 60 percent of first marriages are preceded by living together.

But before you rent that moving van, have you considered your legal rights? In a few states domestic partnerships are recognized. Case law and statutes allow rights

between cohabitants in California, Oregon, Nevada, Wisconsin, Washington, Maine, Hawaii and the District of Columbia. Robin Fretwell Wilson, a Washington and Lee University School of Law professor who specializes in family and health law in Virginia, suggests drawing up a contract that stipulates what you want in the relationship and what you agree should happen if it dissolves. “Cohabitation can be dicey,” Wilson says. “Before you do it, you need to ask yourself, *What kind of rules is the law going to apply to my relationship?*” Here’s what you need to keep in mind:

#### Kids

*“If the kids are the biological children of the couple, custody would be decided by traditional means—what is in the best interests of the children,” says Wilson. However, if the child is the legal child of one cohabitant (biological or adoptive), the other is likely to be out of luck trying to get custody. “The person might get visitation if he or she acted as the social parent of the child for a long time, but that’s an uphill battle.”*

#### Health Matters

*Some insurance companies allow copartners to join policies. Also, in the event that one of you becomes incapacitated, you may name your partner as a health care decision maker by signing official forms. “Without an agreement, it is extremely unlikely that a cohabitant will get to make such decisions,” says Wilson. Even if you have documents in place, individual hospitals may deny access.*

#### Property/Assets

*In some states there isn’t grounds for distributing property after the relationship ends, so the person without the title to the house or the car may be out of luck. “If that person contributed money, he or she could sue to get it back but would not receive rights simply from having lived together,” Wilson says. However, a written agreement regarding property division would be respected in court, she adds.*

#### Inheritance/Wills

*There are no automatic rights for an unmarried couple. “If the couple have wills and have named each other as insurance beneficiaries, they have rights to what they have stipulated,” says Cindy Butler, executive director of Alternatives to Marriage Project, a group that advocates for fairness for unmarried people. “Without taking specific steps to protect each other, the surviving partner has no rights,” Wilson says.*