

Memo

To: All Registry Districts

From: Edmund A. Williams, Chief Title Examiner

Date: April 11, 2012

Subject: Affidavits of No Divorce

Affidavits of No Divorce which are executed by attorneys may refer to the marital status recited in the death certificate of the decedent together with a statement that the attorney searched the probate/divorce records of the county in which the decedent was domiciled at their death.

If the property in question is situated in a county other than that of the decedent's domicile, both county probate/divorce records should be searched.

The affidavit should recite no record of divorce was found.

When reference to the death certificate is relied upon, the named surviving spouse should be the same as the surviving tenant by the entirety.

This new form of affidavit is in addition to, not in place of, those forms which are currently accepted. There is no requirement that the new form of affidavit be used.