

Do I have to give back the engagement ring in PA?

Dating back to ancient times, it's been a tradition for (usually men) to give their fiancé an engagement ring when they propose. But not every engagement ends in a marriage— in fact, it was estimated that almost ¼ of engagements are called off every year across the United States. This begs the question, who gets to keep the ring?

The answer depends on where you live. Some countries, like England, consider engagement rings to be an “absolute gift.” If the ring is an absolute gift, there is no requirement that the recipient return it to the person who gifted it to them. Rather, the recipient is free to keep the ring and cannot be sued by his or her ex-fiancé for its return. The results are very different in the US, specifically in Pennsylvania.

In Pennsylvania, an engagement ring is generally considered to be a “conditional gift,” meaning that it was given with the expectation of receiving something in return. In the case of engagement rings, the condition is that a marriage occurs. If this condition does not occur and there is no marriage, the giver of the ring is usually entitled to get the ring back. It doesn't matter why the engagement was broken off, who broke it off, or for what reason. All that matters, is that there was a condition attached to the ring and the condition did not occur.

While engagement rings are usually considered conditional gifts in Pennsylvania, it is possible for a conditional gift to transform into an absolute one. In that case, the fact that the marriage did not occur has no bearing on who keeps the ring. For example, if the giver of the ring specifically tells the recipient they can keep it after the engagement ends, the ring may be an absolute gift. In this case, the recipient may be able to keep the ring, after all.

*(For more information on this topic or any topic in divorce, custody, mediation, child support, collaborative law, PFA matters, alimony, or other family law matters, visit www.Pittsburgh-Divorce-Lawyer.com or contact **Notaro & Associates, PC** at **412-281-1988** for a free phone consultation with an attorney. You can also schedule online by clicking [here](#).)*