Broken Engagement: Who Gets the Ring?

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When a man breaks his engagement to a woman, what is the correct procedure for the handling of the ring? Does the woman get to keep it or is she supposed to return it to him?

A: Legally, there are several ways to look at it, depending on the court system where you live. One legal view is that the engagement ring is a straight-up gift, and gifts don't have to be returned (this is uncommon in most courts). But the more common approach is to treat the engagement ring like a "conditional gift"--meaning that it's only a gift if the marriage takes place.

If the marriage doesn't take place, there are two ways to look at it: fault and no-fault. In the fault approach, if the giver, your fiance, breaks the engagement for no valid reason, then he's at fault and you get to keep the ring. On the other hand, in the no-fault approach--which is the most common courts see--it doesn't matter who broke the engagement or why. There is no blame placed, and, since the marriage didn't occur, your fiance gets the ring back since it was conditional on the marriage happening. This is probably the law in your state so make sure you consult an attorney in your area if you're planning on keeping the ring, even though your fiance wants it back.

Aside from the legal issues, here's the bottom line: if the engagement didn't work out, do you really want to keep the ring? Sure, it's worth money, but there are probably plenty of negative emotions attached to the ring. You broke up for a reason, and maybe a nasty one at that. Every time you see that ring, you'll be reminded of your relationship's failure. You may just want to leave the bad feelings and memories behind forever by giving the ring back and starting over with a new man and a new ring you'll be proud to wear.

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