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Return the Ring: New Ruling Says Engagement Ring Must be Returned to Donor if the Engagement Fails, Overturning Decades Old Case Law

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In a diversion from longstanding Massachusetts law, the Massachusetts Supreme Judicial Court ("SJC") has adopted the modern trend that following a failed engagement, regardless of which party breaks off the engagement, the engagement ring must be returned to the donor. The decision overturns the Commonwealth's previously settled rule that if the engagement failed, then the engagement ring should go to the party who was not responsible for terminating the engagement.

In *Johnson v. Settino*, the couple began dating in the summer of 2016. About a year into their relationship, Johnson purchased a $70,000 diamond engagement ring. In August 2017, Johnson proposed and Settino accepted. In October 2017, Johnson purchased two wedding bands, for a total cost of approximately $3,700, giving them to Settino as well. The couple set a wedding date for September 2018.

Thereafter, the relationship turned sour following claims by Johnson that Settino was treating him poorly and that she was having relations with another man. Johnson re-evaluated the relationship with Settino, and ultimately ended the engagement. By this point in time, Johnson had paid for one part of Settino's dental surgery, which had taken place, but had not yet paid for the second portion of the surgery, which had not taken place.

The trial judge followed existing precedent that an engagement ring is a conditional gift, conditioned upon the completion of the marriage. The trial judge determined that Johnson failed to prove by a preponderance of the evidence that Settino was having an affair and thus concluded that Johnson bore the fault for the breakup of the engagement and that, therefore, Settino was entitled to keep the engagement ring.

On appeal, a split panel reversed the trial court's decision, noting that appellate courts in the Commonwealth had not addressed how fault should be addressed in these circumstances. The majority concluded that, contrary to the trial judge's determination, a party who ends an engagement is not necessarily the one to blame for that result. Instead, an assessment of "fault" requires a justification analysis. The Appeals Court ruled that the engagement ring and wedding bands must be returned to Johnson because his actions



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had been reasonable, despite his mistaken suspicions of Settino's affair.

Reviewing the question of law de novo, the SJC unanimously held that the engagement ring and wedding band must be returned to the donor if the marriage does not ultimately take place, regardless of either party's fault.

This new decision retires the decades old rule that the donor could recover the engagement ring only if the donor was "without fault" for the failed engagement. Since 1959, the Commonwealth has applied a fault-based conditional gift test to engagement rings. In examining the legal standard for assessing "fault" in the context of determining rights in engagement gifts, the SJC concluded that there are "inherent difficulties in assigning responsibility for a prenuptial breakup," as there are, conceivably, "endless scenarios that make ascribing fault fruitless" in the context of a failed engagement. Highlighting, among other things, that the question of fault has become "largely irrelevant" to modern divorce proceedings, it should also be deemed irrelevant to the breaking of the engagement. Further, assigning blame to one who breaks an engagement is at odds with a principal purpose of the engagement period to allow a couple time to test the permanency of their wish to marry.

The SJC concluded that the concept of assigning fault to a broken engagement is outdated, finding instead that "the only relevant inquiry in conditional engagement gift cases is whether the condition under which the gift was made—that is, the marriage ceremony—has failed to occur." Consistent with its opinion, the SJC ordered the engagement ring and wedding bands to be returned to Johnson.

The full decision is *Johnson v. Settino*, No. SJC-13555 (Nov. 8, 2024).

Disclaimer: This summary is provided for educational and informational purposes only and is not legal advice. Any specific questions about these topics should be directed to attorney(s) Ashley Berger and David Glod.

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