

Marital Settlement Agreements

Marital Settlement Agreements are written contracts between spouses who plan to divorce. These contracts are legally binding and can allocate rights and obligations on matters involving property, debts, alimony, timesharing, visitation, child support and any other matter that is relevant to the parties marriage.

It is important to consult with an attorney and have the attorney draft the marital settlement agreement. A good agreement works as a rule book that the parties can both abide by because they have negotiated and accepted the terms set forth therein. A good agreement can help ensure that the parties have a clear understanding of their rights and obligations and reduces the need for the parties to constantly negotiate for things like payment of children's medical bills or visitation during vacations. A well drafted settlement agreement will achieve the following:

1. Establish rights and obligations as to the equitable distribution of real and personal marital property;
2. Establish rights and obligations as to the equitable distribution of marital debts;
3. Establish rights and responsibilities as to spousal support, if warranted;
4. Establish a clear schedule for timesharing with the minor child(ren);
5. Establish the correct amount of child support.

Most importantly, the marital settlement agreement can place custom rules so that you and your spouse can decide **now** how to handle things that could lead to future conflicts such as how the children's medical bills will be split, who will provide health insurance, how telephonic communication with the children will be handled, who will claim the children on tax returns, who will pay for summer camp and how much is reasonable, whether the custodial parent can move to another county, whether the custodial parent can leave the children with certain people or only designated persons, whether the non-custodial parent should be asked to watch the children before a sitter is hired or another third person is asked.... As you can see the possibilities are endless. However, these are things that need to be addressed now while the issues are not quite as emotional.

Our firm is experienced in drafting these agreements and will take the time to listen to your needs and draft an agreement that will hopefully serve to avoid future conflicts and thus promote a healthier post-divorce relationship with your then former spouse.