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								o owns what following the divorce or death of a spo nuptial agreement, or "prenup," is a written contract	
before a couple gets married — most confidence and premarital agreement Table of Contents divorce, the court will generally divide mevent of a divorce, regardless of committees and the couple of the	ommonly when they are engaged. This s What Does a Prenup Do? Prenuptial a narital property between both parties, buingling. Separate or non-marital property	agreement defines the financial and property agreements serve to protect the financial and at exclude assets known as "separate property includes: Premarital property (property indiv	rights of each spouse should the marriag property rights of a couple should they ev y" or "non-marital property." However, du idually acquired before marriage) Any inh	e end in separation, specifically by ver divorce. This includes: Separate ring marriage, commingling—or mix eritance or gift received from a third	death or divorce. While they e or Non-marital Property Mar xing—separate property may d party during marriage Com	all have the same meaning, prenups rital Property Business Ownership Sa occur and cause property to lose its pensation from most personal injury a	may also be referred to as: Antenuptial agvings and Retirement Alimony and Spouseseparate status. To prevent this, a prenupt wards Property acquired after separation	preement Prenuptial contract Domestic contract Ma al Support Separate Property / Non-Marital Propert tial agreement can be used to designate which part Marital Property Anything acquired during marriage	arriage contract ty In the event of a tner gets what in the e by either partner is
that has commingled with other marital	property (e.g., an individual bank accou	int in which both spouses deposit funds) Busi	ness Ownership If one spouse began a b	usiness prior to getting married, the	e other spouse may be entitle	ed to 50% of any increased value in th	e business that occurred during the marria	ught using either spouse's earnings during marriag age. With a prenup, however, business owners can d decide how they will invest, save, or spend their n	designate the status
disadvantaged partner will or will not re-	ceive financial support. State laws, how	ever, vary on whether a spouse can complete	ly waive or give up the right to receive al	mony or spousal support. When de	etermining alimony, a judge a	and spouse may consider: If there is no	o spousal support, will the spouse become	ort A prenuptial agreement can explicitly determine e destitute and unable to provide for themselves? Demarital property is shared with these children. Eve	Does the poorer spouse
prenuptial agreements can clarify and re Needs a Prenup? Modern couples of al	einforce expectations to avoid costly leg I backgrounds are turning to prenuptial	gal battles that ultimately eat away at the esta agreements more and more these days. No l	re. Note: A prenuptial agreement cannot l onger an exclusive marriage contract for t	be used for unborn children from a he wealthy or the elite. More and m	new marriage. In the event your couples of all backgroun	ou decide to end your marriage withouds are turning to prenuptial agreemer	ut a prenup, you will likely need to use a d nts to protect their future. Consider using a	ivorce agreement to determine how to divide up yo a prenup if you want to: Be practical. If there is a lar	our belongings. Who rge wealth or property
responsibility if either you or your spous Owners or partners of a company, nonp	se have accrued a large amount of persorofit, or business should keep in mind t	onal debt. Additionally, you may want to decided hat your spouse can claim more than half of y	le how to disperse any accumulated retire our company's value appreciation. Keep	ement benefits or determine how ea it in the family. If you're concerned	ach spouse will pay househol about maintaining children fr	ld bills. Protect your property. If you're rom a previous relationship as your be	e a real estate owner, a prenuptial agreem eneficiaries, be sure to spell that out in a pi	defined. A prenup will also help shield each of you ent can determine what is and isn't community proper renuptial agreement. Without a prenup, your partne	perty in your marriage. er may be able to
do not sign. Always make sure that a la of any use as protecting assets is the production of the produ	wyer has looked over the agreement be rimary purpose of a prenup. You're avoi	efore agreeing to anything. Furthermore, if you	and your spouse agree with your state's es to preemptively limit future custody or	default divorce law, creating a pre- visitation rights of children should t	nuptial agreement would be pathink twice before getting invo	pointless. Neither of you have much in olved with prenuptial agreement. A pro	n savings. If neither spouse has any sizable enup should not be used to waive child su	a prenuptial agreement is heavily in favor of one s le assets or property to their name, a prenuptial agr pport obligations, alimony, or spousal maintenance	reement will rarely be e. In contrast to a
sex marriage nationwide, the IRS weigh	ned in on same-sex marriages for federa	al tax purposes. According to a 2013 Forbes a	rticle, even before the landmark Suprem	e Court ruling, same-sex couples w	vould have benefitted from a p	prenuptial agreement. Prenuptial Agre	eement: Pros and Cons The pros and cons	eme Court ruling in Obergefell v. Hodges, and the less of prenuptial agreements can vary on a case-by-c f you or your spouse incurred significant debt befor	case basis. The topic of
repayment. How to Get a Prenup Use L	∟egal Template's Builder Our online prei	nup builder will help reduce the amount of tim	e billed by costly lawyers. Before hiring a	n attorney, first use our builder to c	reate and print out a prenupti	ial agreement for them to review. Do I	t Yourself Prenuptial Agreement If you pre	g to your spouse, they may be able to garnish your efer to take a hands-on approach, download one of ous marriages of you and your future spouse. This	our free prenuptial
from a previous marriage. Clarify your le Additionally, lay out any property, stock	egal representation. Spell out the name s, or retirement accounts of either spou	s and addresses of any attorneys associated se and any businesses owned by either indiv	with your prenuptial agreement. Disclose dual. Hire a Prenup Lawyer It's important	all financial situations. Outline the to get an impartial third party to co	bank accounts of both spous omb over any legal agreemen	ses as well as any debts or loans you l at before you sign your name. This will	both may have. Credit card balances will a ensure that you're being represented fairl	also need to be addressed as these can be conside ly and your assets are substantially protected. Use al professionals. Free Prenuptial Agreement Sample	ered accrued debts. these simple tips
Download this prenup template into MS (hereafter referred to as "_	S Word, or view a completed prenuptial a	agreement sample PDF to see what this docu	ment looks like filled out. You can also cl ,, In advar	ck on the image to zoom in on the coce of their marriage, the parties wis	text if you want to read any o sh to provide for their rights a	of the prenup's clauses. This Agreeme	ent is entered into on this, by	and between (hereafter referred to as ach of the parties currently and separately own, the represents that he or she was not previously many	s "") and at which each will
no children. (b) currently re	esides at,,,	onable disclosure to each other of his or her	ents that he or she was not previously ma	rried has no children. E assets, income, holdings, liabilities	Effective Date. This Agreeme	ent will be effective on, the hibits A and B to this Agreement	e date of marriage. If we do not marry eac's financial information is set forth tion prior to signing this Agreement. Legal	ch other by such date, this Agreement will be null and in Exhibit A to this Agreement's finan	
the opportunity to consult with legal coulenter into this Agreement. Premarital Pr	unsel however chose not to engage lega roperty. With respect to premarital prope	al counsel in the drafting and negotiation of the erty: (a) All of's property listed in	s Agreement. The failure to consult legal Exhibit A that is separately owned prior t	counsel constitutes a waiver of suc o the marriage will remain as	ch right. Both parties represer 's non-marital, separa	nt that they understand the contents o ate and individual property during and	f this Agreement, acknowledge this Agree after the marriage. Any increase in the va	ment is fair and reasonable and have chosen to fre lue relating to the separate property will also remain	eely and voluntarily n as the non-marital,
earned, acquired and given to	e separate property will also remain as t individually during marriage will be	<del></del>	rty of has the 's non-marital, separate and individu		sell, gift, transfer or otherwise lue relating to the separate p	roperty will also remain as the non-ma	roperty. Property Acquired During Marriag arital, separate and individual property of _	on-marital, separate and individual property during a e. With respect to property acquired during marriag has the full right and autl	ge: (a) Property hority to manage, sell,
gift, transfer or otherwise dispose of marital, separate and individual property		r, the following individual property of he separate property will also remain as the r	's will be considered the marital propo on-marital, separate and individual propo			pperty earned, acquired and given to _ to manage, sell, gift, transfer or other	individually during marriage wwise dispose of's separate pr	vill be treated as's own and remain roperty. However, the following individual property o	's non- of's will
be considered the marital property of bo		(c) All assets and property that are ell by the jurisdiction whose law governs the co	earned and acquired by both parties throu		-		and or as otherwishibit A that exist prior to the marriage will	vise designated in a writing signed by both parties. remain as 's sole responsibility during	• •
Any increase in the value of to the marriage will remain as	's pre-existing debts or obligations list	ed in Exhibit A will also remain the sole respo r the marriage. Any increase in the value of _		lowing debts or obligations of	's will be considered t	the marital debt of both a	and: (b)	's pre-existing debts or obligations listed in Ex be considered the marital debt of both	•
will not assume or become	e responsible for the debts or obligation	•	vritten consent will indemnit		During Marriage. With respect on is asserted as a claim or de 's sole responsibility.	emand against's propert		all related expenses including attorney's fees. How	
	gation is asserted as a claim or demand		will be responsible for all related exp					: (c) In the event the marriage	
terminated, tax returns shall be separate	ely filed. Binding. This Agreement will ir		parties, their successors, heirs, executor	s, administrators, assigns and repre	esentatives. Severability. In the	he event that any provision of this Agr	reement is held to be invalid, illegal or une	sociated with their separate property. (b) In the even inforceable in whole or in part, the validity, legality a scordance with the laws of, not including	
any provision in this Agreement. Entire	Agreement. This Agreement including a	all Exhibits attached hereto contains the entire	understanding between the parties and	supersedes and cancels all prior ag	greements of the parties, whe	ether oral or written, with respect to su	ch subject matter. Amendment or Revoca	nd shall not otherwise affect the meaning, construc tion. This Agreement may be amended or modified e parties to this Agreement represent the parties ac	l only by a written
they have been informed of their legal r	· · · · · · · · · · · · · · · · · · ·	e to consider entering into this Agreement, re	ad and understood the Agreement, agree	with the contents of the Agreemen ame of the First Party Full Name of	nt, had sufficient time to review f the Second Party Signed in	w the Agreement and believe it to be the presence of:		nto signing the Agreement and chosen to freely and Signature of Witness Na	d voluntarily enter into tme of Witness
State of	)	Address of Witness -) (Seal) County of	) The foregoing instrumen	Signatu t was acknowledged before me this	ure of Witness Name of V s day of	, 20 , by the undersignal by the	aned who is personal	Address of Witness NOTARY AC ly known to me or satisfactorily proven to me to be	
name is subscribed to the within instrum		Signature	Notary Public N	ly Commission Expires:	State of	)	· · · · · · · · · · · · · · · · · · ·	County of ) The fore	egoing instrument was
acknowledged before me this Commission Expires:			o is personally known to me or satisfacto				Signature Signature	e No d/or financial statement. How to Make Your Prenup	otary Public My  Nalid When crafting a
	<del></del>		<del>-</del>				<del>-</del>	e enforceable in court, it must meet five basic processing the court of the court o	_
		-	•		-	- ·	•	nup, a court will look at: The ability of each spouse	
•			, ,	•	• • • • • • • • • • • • • • • • • • • •	•		he age and health, emotional and physical, of each Should we include information about past marital ba	• •
children from previous marriages? Why	? Yes, both spouses need to disclose w	hether they have been married before and/or	if they have children on their prenuptial a	agreement. If one spouse has childr	ren from another relationship	, this agreement can ensure that their	separate premarital property is shared or	nly with their children when that spouse dies. Even	when a will exists, a
have this information on hand, it can be	e left blank to be filled in later. Marriage	Plan & Legal Representation Questions Do b	oth spouses need an attorney for the prer	nup to be legally binding? ou do not	t need a prenup lawyer for the	e agreement to be legally binding. If b	oth partners choose not to have an attorn	nuptial agreement becomes legally binding. If eithe ey, they can waive the right to legal representation.	. By waiving the right to
likely to honor the prenup, and the spou	uses are less likely to make costly legal	errors. Courts may be worried that the prenu	is not fair if only one person had legal re	presentation. Property Questions I	f your marriage ends, how wi	ill the marital property be divided? The	e division of property can be set by percen	e an attorney representing their interests. This way, tages (i.e., first party 50% and second party 50%).	Another option is to
,							• • • • • • • • • • • • • • • • • • • •	ne of this business be divided in the event of a divor atus. Some courts, however, treat pets like childrer	
	=	-			-		-	E entering my marriage. Will my debts be shared w lebts before marriage separate Designating your de	
								ain only one person's responsibility or be shared in st party 50% and second party 50%). The second o	
in accordance with state law. If the cour	ple cannot decide on a way to divide de	bt, the couple will need to go to court, and the	judge will decide how the property shoul	d be divided. Usually, property will	be divided equitably or fairly	based on various factors if the parties	did not specify how the property will be s	plit. Housing & Household Arrangements What are use are renting an apartment or home, you can indi	some ways my
agreement should be changed in the ev	vent of a divorce. How can we handle ex	openses related to the residence in the event	of a divorce? You can decide which spou	se should be responsible for expen	ises related to the residence,	, or share the costs equally. Examples	of costs that could be handled: Rental/lea	ase payments Home insurance premiums Maintena , and what does not. Items commonly considered a	ance expenses During
								ate in the prenup who will get custody over the pet i	

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