



The FindLaw Guide to Spousal Support

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When a couple divorces, one spouse may be ordered to pay the other spousal support or alimony to make up for any unfair economic effects of the divorce. Here is some information that can help you collect support.

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Introduction

Spousal support (also referred to as alimony) is a monthly payment made by one spouse to the other following divorce. Alimony is aimed at correcting unfair economic effects of a divorce such as a spouse's impaired earning potential. It can be difficult getting money from a former spouse, and FindLaw and its directory of attorneys is here to help you.

Determining How Much You Can Get

There is no simple formula for determining how much spousal support you can receive. Each couple is different and the amount of support you can receive is based on your individual circumstances. However, some common factors that may be considered include:

- income and property of each spouse
- earning capacity of each spouse
- impairments in earning capacity
- whether there are any children and who will be raising the children
- standard of living
- duration of marriage
- sacrifices or contributions one spouse made to the career or education of the other spouse

Generally, the more income and earning capacity you have relative to your former spouse, the less support you may receive. However, if you have children, had a particularly long marriage, or contributed to your former spouse's success, the amount of support may be increased accordingly. If you are having trouble determining how much spousal support you may be entitled to, FindLaw can help get you started.

Types of Spousal Support

Most types of spousal support are considered rehabilitative, meaning that it only has to be paid so long as it is necessary for the recipient spouse to become self-supporting. Generally, rehabilitative alimony is made for a fixed period of time such as to allow the receiving spouse to finish school or land a job. Oftentimes, rehabilitative alimony is reviewed periodically to determine if it should be continued, discontinued, or otherwise adjusted.

Another common type of spousal support is reimbursement alimony. This is spousal support where one spouse reimburses the other spouse for expenses occurred during the marriage. For example, if a nurse wife puts a husband through medical school, the husband may be ordered to pay the wife reimbursement alimony for the costs of medical school after becoming a doctor. The payments will continue only until the specified amount is paid off.

In cases of a long marriage, or where one of the spouses is ill, alimony may be made ordered on a permanent basis,



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meaning that it will be paid until the death or remarriage of the recipient.

You can [click here](#) to read more about the different types of alimony.

Lump-Sum Alimony

Several states allow an alternative to monthly spousal support payments by having the payor spouse pay one lump-sum payment. This is usually only appropriate for fixed payments like rehabilitative or reimbursement alimony as the amount can be quantified to a single lump-sum. However, a divorcing couple may agree to a lump-sum even in situations where permanent alimony is appropriate.

The advantages of lump-sum alimony are that the payment is over and done with immediately and the recipient spouse can avoid future issues related to collecting support. The disadvantages are that a lump-sum payment will usually be discounted, meaning that you will receive less if you get it all at once as opposed to spread out over a period of time. Additionally, there may be negative tax consequences for receiving a large lump sum payment all at once.

How to Get Alimony

Oftentimes, a couple will work out an agreement over how much alimony must be paid. If there are differences of opinion, you may want to seek the assistance of an attorney or work with a third party mediator to sort through the issues. If you are unable to come to an agreement, a court may step in and may issue a spousal support order. You can [click here](#) to learn more about your state-specific laws for spousal support.

STOP

Should I Talk to an Attorney?

If you are going through a divorce and think that you are entitled to spousal support, but are unsure how much you can receive or the type of alimony that is best for you, you should contact a family law attorney. Additionally, if you are working with your spouse in coming to a spousal support agreement and have reached an impasse, an attorney can help you overcome your differences.

You can locate a family law attorney now by visiting www.findlaw.com and choosing among several quality-assured lawyers in your area.

For More Information

Regarding alimony and other family related issues, visit <http://family.findlaw.com>

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