

Equitable Distribution

After the issues involving our children, the second most important aspect of divorce is using related to equitable distribution. In Florida the standard for equitable distribution is that the court is supposed to equitably divide the assets and liabilities of the marriage. There are important issues that can arise in this respect, the first is that while equitable presumes somewhat equal, it does not necessarily require it and the court can do an inequitable distribution of assets, in such incidents where it might benefit minor children, such as providing the marital home to the parent who receives custody of the child. Additionally the issue of what is marital and non-marital arises; if you brought substantial assets into the marriage, in the way of a house or a car, cash or other investments, those assets may not be subject to distribution by the court. It's important before beginning any process of negotiation with your spouse that you fully understand exactly what a marital asset is and exactly what is not a marital asset. At the Law Firm for Family Law we can assist you and reviewing the entire financial structure of your family to make sure you have the information you need to make intelligent decisions about how you wish to have your assets divided between the parties.