

THE STAY AT HOME MOM

A DIVORCE GUIDE FOR CONNECTICUT MOTHERS AND THE PEOPLE WHO LOVE THEM



When the world is
on your back, we can
be on your side

WHEN YOU ARE FACING THE END OF YOUR MARRIAGE

Stay at home moms need to make special considerations during divorce proceedings, and being an informed parent can make the difference in your future life after your marriage ends.

Stay at home moms face a special dilemma when they are contemplating divorce. They often have no independent financial resources. They often stay in bad marriages for years due to the fear of being left penniless. Many have been unemployed for most of their married lives and think they have little to put on a resume. Knowing that the kind of job she will get may not support her children, often a stay at home mom will not leave a bad situation out of fear of having her precious bundles taken from her. For most, it's worth staying in a bad marriage in order to keep the children. This is certainly understandable. However, it doesn't necessarily have to be a choice between the two. Take the following steps to ensure your financial stability when you walk out that door.

First, understand that it's best not to make the announcement that you're leaving before you are prepared. If you can, try to live as peacefully as possible with your spouse

until things are at least planned out. For the sake of this article, it will be assumed that you have at least one month before you need to leave your marriage. If you don't, just take as many steps as you can before you head out.

On the following pages there are some informational lists. These lists are intended to help you prepare for a divorce as a stay at home mother. While these lists are extensive they are by no means exhaustive. Each situation is different. Please consult with an attorney who can further advise you about the intricacies of your individual case.

These checklists will assist you in gathering together the information that you will need in order to obtain a divorce with the most equitable decision in your favor.



SUPPORTING YOURSELF AFTER DIVORCE

Minimum Alimony
It is not unusual for an award of alimony of \$1. This allows you to go back to court in the future if circumstances change. If you get no alimony order from the judge, you won't be able to go back and get it ever!



frequently asked questions about alimony by stay at home moms

What is Alimony?

Alimony is the term for court ordered payments to an ex-spouse. It is a specific dollar amount paid over a specific period of time or in a lump sum at the time of the dissolution of the marriage.

How do Courts determine Alimony?

This is covered by Connecticut General Statutes 46b-82. In determining whether alimony shall be awarded, and the duration and amount of the award, the court shall hear the witnesses, shall consider the length of the marriage, the causes for the annulment, dissolution of the marriage or legal separation, the age, health, station, occupation, amount and sources of income, vocational skills, employability, estate and needs of each of the parties and the award, if any, which the court may make pursuant to section 46b-81, and, in the case of a parent to whom the custody of minor children has been awarded, the desirability of such parent's securing employment.

You don't have to go through this alone

Am I taxed on Alimony payments?

Yes, The alimony is taxable income for the receiving spouse while tax on alimony paid by the other spouse is exempted from it. So, the alimony is regarded as a very effective mechanism of balancing the tax burden as the tax is to be paid by the spouse whose burden of tax is much less compared to that of the other spouse.

How can I even start a divorce with no income?

It may be possible to get an order of alimony pendente lite. This means alimony or maintenance 'pending litigation' and is payable during the pendency of a divorce proceeding so as to enable a dependent spouse to proceed with or defend against the action. Yo should speak with an attorney about this and complete the checklists enclosed so a proper amount can be sought at court.

HAVE	NEED	DOCUMENTS AND INFO TO OBTAIN
		Certified Marriage Certificate
		Info on any previous marriages
		Any Prenuptial Agreements or any other domestic agreements
		Marital History showing high and low points, contributions to marital estate
		Paperwork for Parental Education Classes
		Children - names, dates and places of birth
		Financial Statements
		Income Tax Returns from the past 3 years
		Pay Stubs from the past year
		Bank Account Information
		Any Loan Applications from the previous year
		Broker's Statements and Stock Portfolio
		Stock Options
		Pension, Profit-sharing, deferred compensation and retirement plans
		Wills and trust agreements
		Life Insurance documents
		General Insurance documents

HAVE	NEED	DOCUMENTS AND INFO TO OBTAIN
		Accounts Payable and Receivable
		Cash Receipt Books
		Real Property
		Sale and option agreements
		Personal Property
		Motor Vehicles
		Corporate Interests
		Partnerships and joint venture agreements
		Employment Records
		Fringe Benefits
		Gifts
		Medical Bills and receipts
		Inventory of Safe deposit boxes
		Recent Credit Reports
		Outstanding Debts

CHILDCARE EXPENSE CHART

After School Care		Hobby Costs	
Allowance	\$	Holiday Gifts	\$
Babysitting	\$	Internet Access	\$
Backpacks/lunch boxes	\$	Mileage for transport	\$
Band Uniforms	\$	Musical Instruments	\$
Birthday Gifts	\$	Onetime Expenses	\$
Camp Fees	\$	Pet Costs	\$
Camp Supplies	\$	School Books	\$
Cell phone costs	\$	School Event Fees	\$
Clothing costs	\$	School Lunches	\$
Computer supplies	\$	School Supplies	4
Club/sports fees	\$	Telephone Costs	\$
Club/sports uniforms	\$	Toys	\$
Daycare	\$	Books	\$
Donations to school	\$	Tuition	\$
Entertainment	\$	Tutoring	\$
Field trip expenses	\$	TOTAL	\$

IMPORTANT POINTS TO CONSIDER

The process of a divorce is stressful. There is no getting around that. The sooner you start to take the right steps, the sooner you can secure your future. Finances, living arrangements, employment and child custody all impact the progression of a divorce. The best divorce lawyers look at the whole picture, and can help you with questions you may not even have at this point. Lawyers with experience in the divorce process can help you make the right decision for your future.

Attorneys Fees

The cost of hiring an attorney varies based on the time expended, the issues involved, the difficulty of the matter, the results achieved, and any extraordinary time or demands placed upon an attorney which would prevent an attorney from representing other clients. Of these factors, the time expended is generally the most important. Most attorneys will require that a retainer be paid at the time of retention. Every attorney in Connecticut should have a written fee agreement with his/her clients.

Either spouse may be required to pay the counsel fees and disbursements of the other spouse, based on the same factors to be taken into account in making an award of alimony. Generally, a party with enough funds to pay his or her own

attorney will not receive an award of counsel fees; however, the provisions of the support statutes make it possible for the non-monied spouse to recover counsel fees from the monied spouse in a proper case. Never fail to consult an attorney simply because you do not have the immediately available funds to pay a retainer.

Support

Connecticut requires both parents to support their children in accordance with their respective abilities. The published guidelines are required to be considered in each case. The State publishes child support guidelines which are created based on the supporting parent's income. In exceptional circumstances there are deviations for the standard. By hiring a lawyer familiar with support issues, you can be sure you are getting the right amount of support from your ex spouse. Our attorneys also assist in support order modifications, which enable you to reduce or increase a prior support order based on new circumstances. In divorce cases, every case is unique - there is no one size fits all result - and hiring a lawyer to fashion your



**Remember:
You are NOT
alone!**

correct result is sometimes your best bet.

Not Every Case is the Same

One thing people with a divorce come to learn is that while you may feel like you are alone many others you know have gone through a divorce. However, simply because a friend or family member may have gone through a divorce and have facts that sound similar to yours, does not mean that your case will resolve the same way. Even when a case is in the same courthouse, with the same judge, many people have chosen to hire a "jack of all trades" lawyer who may not have done everything legally possible. You cannot change what has happened but you can change how you deal with it.

Resources

Our website provides resources and downloadable informational packets dealing with issues of cheating spouses, childcare and custody, visitation and parenting education. Please contact us for help if you are contemplating divorce or have been served with divorce papers.

As a stay at home mom you may

- Be entitled to remain in the marital home
- Be entitled to have alimony during your divorce proceedings
- Be entitled to child support during your divorce proceedings
- Be able to be protected from an abusive spouse

The sooner you act, the sooner you can sleep easier at night.

RUANE ATTORNEYS

**Serving all Connecticut courts
with offices in Hartford, Shelton
and Norwich**

www.connecticut-divorce.com