

MAKING SENSE OF DIVORCE



By Mindy J. Snyder

Mindy Snyder is an attorney with Liebmann Family Law in Newtown, Bucks County. Each of the attorneys in the office has over 25 years' experience in handling domestic issues. We appear in Bucks and the surrounding counties, including New Jersey. Please contact our office to schedule an initial consultation. (215) 860-8200. www.Liebmannfamilylaw.com.

1. Length of the marriage;
2. Any prior marriage of either party;
3. The age, health, station, amount and sources of income, location of skills, employability, estate, liability, and needs of each of the parties;
4. The contribution by one party to the education, training, or increased earning power of the other party;
5. The opportunity of each party for future acquisitions of capital assets and income;
6. The sources of income for both parties including but not limited to medical, retirement, insurance, and other benefits;
7. The contribution or dissipation of each party in the acquisition, preservation, depreciation, or appreciation of the marital property, including the contribution of a party as a homemaker;
8. The value of the property set aside to each party;
9. The standard of living of the parties established during the marriage;
10. The economic circumstances of each party at the time of the division of property is to become effective;
11. The tax ramifications associated with each asset to be divided;
12. The expense of sale, transfer, or liquidation associated with the particular asset; and
13. Whether the party will be serving as a custodian for any dependent minor children.

What Is Marital Property? – Equitable Distribution

Marital property means all property acquired by either party during the marriage and the increase in value of any non-marital property acquired prior to the marriage. Marital property does not include the following:

-Property acquired prior to the marriage or property acquired in exchange for property acquired prior to the marriage.

-Property excluded by valid agreement of the parties entered into before, during, or after the marriage.

-Property acquired by gift, except between spouses.

-Property acquired after final separation until the date of divorce.

-Property that a party has sold, granted, or conveyed for value prior to the date of final separation.

-Veterans' benefits exempt from attachment.

-Any payment received as a result of an award or settlement for any cause of action or claim that accrued prior to the marriage or after the date of final separation regardless of when the payment was received.

All retirement benefits earned during the marriage are considered to be marital

property and therefore subject to equitable distribution. These accounts are not treated any differently than a bank account or savings account accumulated during the marriage.

Liebmann Family Law in Newtown was founded in 2008 and is one of a handful of firms in Bucks County that focuses exclusively on family issues: contested and uncontested divorce, child custody and visitation, child support, spousal support and alimony, pre-nuptial and post-nuptial agreements, division of property, wills and estates, grandparents' rights, and adoption.

The Liebmann Family Law team includes three full-time attorneys: Jeffrey A. Liebmann, David Sowerbutts, and Mindy J. Snyder, as well as four legal assistants. Each of the attorneys has at least 30 years of Family Law experience and is known for his or her special skills, as well

as handling cases with a great deal of care and compassion.

The firm has created an atmosphere in which any one of the attorneys can step in and handle any emergency, and each of them has access to all of the files to answer any questions that you may have.

Please contact **Liebmann Family Law** to schedule a consultation. At that meeting, we help you to understand your rights and your obligations. The purpose of the initial consultation is to help you understand what will happen should you choose to go down the divorce road. We can also discuss whether it would be in your best interest to file for divorce sooner rather than later or to let your spouse file for the divorce. This is a very difficult time emotionally. You should at least have the comfort of knowing the law.

Please contact our office to arrange a free initial consultation. www.Liebmannfamilylaw.com or 215-860-8200.

Under Pennsylvania law, a spouse can file an action for divorce when at least one of the parties has been a resident of Pennsylvania for at least six months prior to commencement of the action. In Pennsylvania, you can obtain the grounds for divorce based upon mutual consent or fault. With mutual consent, the Court may grant a divorce where the marriage is irretrievably broken and 90 days have elapsed from the date of the service of the action for divorce. An Affidavit must be filed by each of the parties showing that they consent to the divorce.

The Court may also grant a divorce where a Complaint has been filed that the marriage is irretrievably broken and an Affidavit has been filed setting forth that the parties have lived separate and apart for a period of at least **one year**.

In the event there is a marital estate and equitable distribution is requested by either party, the Court will not grant the divorce until the economic issues have been resolved.

It is the Court's obligation to "**equitably divide**" the marital property between the parties without regard to marital misconduct.

This means that a person's negative behavior or the fact that he or she had an affair does not affect the distribution of property.

Property is not always divided 50/50. The Court is permitted to determine the appropriate percentage for each party based upon certain factors as set forth in the Divorce Code. The Court is to consider the following:

Divorce | Prenuptial Agreements

Custody & Support | LGBTQ Law

Estates & Probate | Adoption

Domestic Violence

Paternity

Grandparents' Rights | Wills

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