

3 Ways to Mess Up Your Prenup

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Marriages can turn ugly at certain times forcing spouses to go separate ways. A divorce is an expensive and emotional affair to deal with when it happens. If you have been married before, you know how things can unravel. ***If you are looking forward to your first marriage, it's always good to prepare for any eventuality.***

In every divorce case, each party feels that he/she is disadvantaged and that the settlement agreement should favor him/her. Most partners tend to draft pre-marriage agreements that purport to settle any disagreement relating to asset distribution that may arise in the event of a divorce. Although this may seem like a viable solution, it only serves to insulate the marriage from any undue concern over asset ownership. You can either decide to come up with the agreement yourselves but chances are, it will not meet the set legal standards. To avoid this confusion ***make sure that you involve an experienced family attorney when drafting your prenuptial agreement. The lawyer will take care of the legal aspects of your agreement and make it more binding.***

Here are the top three ways to mess up your prenup agreement to keep you out of that expensive and messy fight that ends with most of your assets being under the control of your ex-partner.

1. Coercion

Typically, an agreement needs to be voluntary. The court is never going to look at a prenuptial agreement that you were forced to sign under any pressure or undue influence. ***Although coercion can be difficult to prove in a court of law, it invalidates the said agreement*** since it demonstrates that the contract isn't true and an accurate reflection of every party's intent.

Most courts will take a close look at the facts surrounding your pre-marriage agreement and establish the credibility of the contract before it is used to influence the direction of the judgment. Courts always want to encourage spouses to have private pre-marriage agreements but without any coercion. ***The agreement should reflect the will of every party involved in the case.***

2. Do It Yourself without Involving an Attorney

If you are serious about your prenup agreement, then you need to involve legal experts to ensure that your agreement conforms to the state laws and requirements
However, one of the best ways of messing up your prenup agreement is failing to involve a lawyer in it.

If one of the partners doesn't have a qualified legal expert to explain the meaning of the contract and how it's likely going to be interpreted if a divorce occurs, then the family court will most likely rule the agreement as invalid. A fundamental principle of contract law is that, for it to be enforced, it must be representing the will and intent of two or more people.

3. Hide Assets

During a divorce case, both of you will be working with experienced divorce attorneys who will be urging the judge to divide your assets fairly considering a number of factors. However, most people lack a clear understanding of the difference between personal and marital property which makes them hide some assets that they believe shouldn't be shared. ***Hiding any assets will automatically render your pre-marriage agreement null and void since the contract is usually based on everything that you own and not part of it.***

Contact Prenuptial Agreement Lawyer in Salt Lake City, Utah at Wall & Wall Attorneys at Law Today

Are you already married? No need to worry since you can still come up with a post nuptial agreement. ***Our experienced prenuptial attorneys have helped many families all over the Salt Lake Valley to make decisions that will help protect your rights.*** Together, we will achieve the best outcome for you and your family. Contact Wall & Wall Attorneys at Law today, and we will gladly help you with our experience and compassion.
