

# How is Alimony Calculated?

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The Utah courts have a wide discretion when it comes to deciding alimony matters, and ***how your attorney represents the factors can affect the amount of an alimony award.*** You need an attorney who can examine the specific factors of your situation, determine what type of alimony may be applied to your case and work to minimize or maximize the award.

If you looking for tailored legal representation for alimony issues, Wall & Wall Legal Solutions can help you. ***We are committed to helping our clients receive fair alimony terms, whether they are paying alimony or are recipients.***

## What is Alimony?

Alimony, or spousal support, is ***a court-mandated payment a spouse is required to provide to the other spouse to allow the receiving party to maintain a standard of living similar to that of the married lifestyle.*** A spouse may be required to pay alimony temporarily while the parties are legally separated, during the divorce process, or for an extended period of time after a divorce has been finalized.

In the state of Utah, ***alimony can be awarded to a spouse of either gender,*** and is only awarded to a spouse who has been able to prove his or her financial dependency upon the other party. If a spouse has more financial assets than the other spouse, such as income and property, he or she will not be able to receive alimony.

**The duration of an alimony award is typically equal to the number of years the marriage existed.** However, there are certain factors that may shorten or extend that time. Alimony payments are usually terminated when the receiving party is remarried or when either spouse passes away. The party that pays the alimony may request a termination of alimony duties if the receiving party begins to reside with a new partner.



## What Is Alimony?

Alimony, or spousal support, is a court-mandated payment a spouse is required to pay to provide financial support to their spouse before or after legal separation/divorce..

## Types of Alimony

More than 1 type of alimony may be awarded

 <b>Limited Duration</b> Alimony lasts until a specific date.	 <b>Rehabilitative</b> Alimony lasts until the receiving party is able to return to the workforce.	 <b>Reimbursement</b> Alimony lasts until the paying party reimburses the cost of resources expended to further their education or career.	 <b>Open Duration</b> Alimony with no set end date. It generally applies to marriages 20+ years in length.
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## Will I Get Awarded Alimony?

Factors that determine court to award alimony

 Length of Marriage	 Age & Health of Parties	 Parental Responsibilities
 Earning Capacity of Parties	 Standard of Living During Marriage	 Financial Situation of Both Parties

# Still Have Alimony Questions?

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According to Utah law, there are ***a variety of factors that the court can consider when determining how much alimony is appropriate***, including:

## The Standard of Living

Often the standard of living experienced by both parties at the time separation occurred will be the benchmark in an alimony calculation. The court can also consider the standard of living that existed at the beginning of the marriage, if the marriage period was relatively short, and there are no children involved.

## The Reason for the Divorce

Certain behaviors that contributed to the end of the marriage may also factor into the consideration of an alimony award amount. The faulty behaviors may include:

- Having an extramarital affair
- Purposely intimidating a spouse or minor children
- Purposely causing physical harm to a spouse or minor children

## Financial Resources

The court can consider any substantial changes in the amount of financial resources after the two parties separated, such as the loss or gaining of employment. The court can also consider the earning potential of both the payer and the recipient.

## Your Alimony Advocate

If you are seeking an attorney who will work to get you fair alimony terms, contact us at Wall & Wall Legal Solutions. We have built a reputation for working to get the results our clients want in all areas of family law. We are also ***fully-equipped and dedicated to protecting your legal interests*** concerning personal injury, product liability, criminal defense, estate planning, real estate and more. Get in touch with us today at 801-441-2388 or arrange a free consultation online so we can determine how we may best help you.