

Property Division: Things You Probably Didn't Think Of

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If you are going through a marital separation and [divorce](#), you have probably already met with emotional challenges and other difficulties that usually come as part of the experience of divorce. Among the most problematic steps of the [divorce process](#) can be dealing with the issue of [property division](#). The dividing of a property is, of course, important for the future of the divorced person, and it is also a major, and often painful, step in officially acknowledging the end of the marriage. Along with matters involving money, [child custody](#), and a number of other serious legal uncertainties confronting both parties, the question of property division should be addressed, ***with the help of an experienced [Utah divorce lawyer](#), from the start of the divorce process, in order to help ensure the fairest final outcome for you and your family.***

Dividing Marital Property

Letting go of property can make people going through the divorce process feel extremely vulnerable. Determining division of major assets is financially very important to both parties in a divorce. The court's highest priority is to reach a decision that is as fair as possible for both parties. But, deciding what to do with a house, for example, offers couples who are divorcing very limited options.

- ***One choice is to sell the house and divide the proceeds of the sale.***
- ***Or, if one party desires to keep possession of the house, he or she may be required to obtain an appraisal of its fair market value.*** If one party is awarded ownership of the house in the divorce settlement, she/he may be ordered by the court to pay the other party whatever amount is determined by the court to be fair compensation for his/her portion of its value.

Getting Through the Divorce Process

Divorce can be a very upsetting process for families. ***Starting out by obtaining the best possible information on Utah state law regarding division of marital property and your personal rights in your case can go a very long way in helping you to end your marriage amicably***, instead of coping with a much longer, more frustrating, and acrimonious process. Having an [experienced divorce attorney](#) to guide you through the [divorce process](#) in the Utah family court system can help you too much more smoothly move through the steps to

executing a mutually agreed settlement. A judge can then approve it and finalize your divorce.

Utah Marital Property Law

Unlike 50-50 states in which all marital property is divided equally, ***under Utah family law, an “equitable” division of property is required in cases of divorce.*** State [divorce laws](#) define “equitable” as meaning “fair”, not necessarily “equal”. So, an *equitable* division of marital property does not necessarily mean an *equal* division of that property. The Utah court has broad discretionary authority in determining what constitutes a fair division of property in a divorce. If the two parties to a divorce reach an agreement on how property, as well as debt obligations, will be divided, as part of an annulment or divorce process, ***the family court judge must first review the agreement and determine that it is fair, prior to making the agreement legally enforceable.***

Property Division Divorce Lawyer at Wall & Wall Attorneys at Law in Salt Lake City, Utah Can Help

We are a [family-owned law firm](#) in Salt Lake City, Utah. ***Our well-respected Salt Lake City divorce lawyers understand the difficulties of going through a separation and divorce.*** We understand that the divorce process puts people in a serious legal situation, with an unfamiliar body of civil laws, complex divorce court rules and procedural requirements. We work with all matters related to [divorce](#) and [family law](#). And, we respect the need to handle your case with care and sensitivity in discussing your personal matters.

At our law office, you will be able to discuss your situation with an experienced [divorce lawyer](#) who will listen with care to all of the details of your situation, and they will help you ***explore all of your legal options.*** And, your attorney will personally represent you in the Utah family court, to ***protect your rights and work to ensure that you receive everything to which you are legally entitled.***

Some benefits we provide our clients include:

- A free, no-obligation consultation for review of your case
- Discounts for military service members
- Both English and Spanish speaking. Other language interpreters provided, with advanced notice.
- Full-service divorce legal services
- [Assistance](#) with DIY divorce
- Our help from a [paralegal](#) program

To be Clear about Your Rights in a Divorce

If you are facing a marital separation and divorce and need to discuss your situation with a caring Salt Lake City divorce attorney, [contact](#) Wall & Wall Attorneys at Law, P.C. Just ask to schedule a ***free consultation.*** For more than 44 years, we have been protecting the rights of residents in Salt Lake City, and the greater Salt Lake City metro area who are going through a divorce in the Utah family court. Give us a call at **801-948-2188** today.