

Frequently Asked Questions about *Alimony*

Alimony—one form of spousal support—is financial assistance that one spouse may be required to pay the other spouse after separation or divorce due to financial dependency created during the marriage. Alimony is not automatic; it is awarded based on a variety of factors.

What is Alimony?

Alimony is a court-ordered payment from one spouse (the supporting spouse) to the other (the dependent spouse) to ensure the financial needs of both spouses are provided for after separation and divorce.

Who can seek Alimony?

To qualify, the dependent spouse must be actually and substantially financially dependent on the other spouse. Also, the other spouse must have the ability or capacity to pay after the separation or divorce.

How is Alimony determined?

Courts consider multiple factors, including: Duration of the marriage, standard of living during the marriage, income and earning capacity of both spouses, financial needs of each spouse, and marital misconduct.

How long does Alimony last?

There is no set time limit or frame for Alimony payments; rather Courts decide the duration based on the length of the marriage, the dependent spouse's ability to become self-supporting, and other case-specific factors. Longer marriages may result in longer alimony durations.

Can Alimony be modified or terminated?

In rare circumstances, Alimony can be modified if a substantial change in circumstances occurs. Alimony can be terminated if the receiving spouse remarries or cohabits with a new partner, pursuant to specific state statutes.

How is Alimony paid?

Alimony can be paid in monthly installments or as a lump sum, depending on the Court's order or the parties' agreement.

Can spouses agree on Alimony without going to court?

Yes. Spouses can negotiate and include alimony terms in a separation agreement or Consent Order.

Do I need an attorney for an Alimony case?

While not required, an attorney can help in navigating the complexities of Alimony cases since they require complex financial analysis and provide for substantial judicial discretion.

