

Frequently Asked Questions about **Postseparation Support**

Postseparation Support is a form of spousal support provided to a dependent spouse after the date of separation but before a final alimony award is made or divorce is granted. This FAQ explains who qualifies for Postseparation Support, how it's calculated, and what to expect during the process.

What is Postseparation Support?

Postseparation Support is spousal support intended to help a dependent spouse get through the separation period, any pending legal proceedings, and possibly to help said dependent spouse rehabilitate any income-earning opportunities. It helps bridge the gap during the divorce process, ensuring the dependent spouse can meet basic needs while long term support is being considered.

How is Postseparation Support different from Alimony?

Postseparation Support is short-term and awarded quickly after separation. Alimony is longer-term and decided later in the divorce process, often after more detailed financial review.

Who qualifies for Postseparation Support in North Carolina?

To qualify, one spouse must be substantially dependent on the other spouse for financial support and the supporting spouse must have the ability to pay.

What factors does the court consider when awarding this support?

Courts will generally consider each spouse's income and expenses, each spouse's ability to earn an income, the marital standard of living, financial obligations and resources, and more.

How long does this support last?

Unless there is a predetermined date or term, Postseparation Support continues until Alimony is determined, the Absolute Divorce is granted (in the absence of a pending Alimony claim), remarriage or cohabitation by the dependent spouse.

Can spouses agree on Postseparation Support?

Yes. Spouses can agree to Postseparation Support terms in a Separation Agreement or Consent Order.

Is there a similar claim in South Carolina?

Although the state's laws do not have a direct equivalent to North Carolina's Postseparation Support claim, South Carolina provides for Temporary Alimony or Separate Maintenance and Support.

Do I need an attorney for Postseparation Support?

While not required, having an attorney can help you navigate this claim especially if your financial situation is complex or contested.
