

Frequently Asked Questions about ***Interim Distribution***

Awaiting a final decision on property division can create stress and uncertainty during separation and divorce. In North Carolina, interim distribution allows the court to divide certain marital assets or debts while the broader equitable distribution case is still pending. This process can help reduce conflict, provide financial stability, and ensure any urgent needs are addressed.

What is interim distribution?

Interim distribution is an interim court order assigning specific marital property or debts to certain spouses before the final equitable distribution judgment. It can help manage urgent financial needs or prevent disputes over shared property.

How do I request interim distribution?

You generally file a motion for interim distribution as part of your equitable distribution case. This claim is typically used when one party needs access to a specific asset (such as a vehicle or funds) or when joint ownership is causing conflict.

Will interim distribution affect the final property division?

Yes, this claim provides for an interim distribution of property or debt responsibilities that is taken into account in the final equitable distribution. All separate, marital and divisible assets and debts will be evaluated in the equitable distribution process, and anything that was distributed during the interim will impact the final division.

What does the court consider for an interim distribution?

The Court may consider the urgency or necessity of the request, risk of asset loss or misuse, the financial needs of each party, and more when deciding interim distribution matters.

Can I get interim distribution without going to court?

If both spouses agree, they can formalize a private agreement or submit a consent order for interim distribution. If they disagree, the court will hold a hearing to decide.

Is interim distribution common in North Carolina divorces?

While not used in every case, it can be helpful in situations where immediate access to property or funds is needed or where joint ownership is causing disputes.

Do I need a lawyer to request interim distribution?

While you can file the request yourself, working with a family law attorney will help ensure your motion is properly prepared, appropriately presented to the Court, and supported by evidence.

