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**The Prenuptial Agreement Dilemma**

**By Jeffrey Broobin**

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Should we have a prenuptial agreement?

OK. You can look at the idea as very cold and unromantic. You can look at the idea as a considerate and practical way to decide before the marriage certain issues having to do with your money.

It is interesting to note that the custom of creating prenuptial agreements is not the modern invention that it seems to be. During the 19th century, before the Married Women's Property Act of 1848, prenuptial agreements were necessary for women in the United States. Until the act became law, everything a woman owned or inherited was transferred to her husband. If he died or divorced her, she was just out of luck.

Nowadays it is not so uncommon to execute prenuptial agreements. And these are not just for the famous super-rich couples we read about, where one spouse is much richer than the other. These are couples who want to be upfront about financial issues and get that out of the way before the wedding.

A prenuptial agreement is a signed and notarized contract that describes how a couple will handle the financial aspects of their marriage. The prenuptial agreement has many positive benefits that are not related to divorce, and although it is not very romantic, it has many positive elements.

· If a future spouse won't sign a prenuptial agreement, it may be best to discover this before the wedding.

The financial well-being of children from a previous marriage can be protected

· Personal and business assets accumulated before the marriage are protected by a prenuptial agreement.

## The Prenuptial Agreement Dilemma

- A prenuptial agreement reveals financial expectations before the wedding.
- A prenuptial agreement discloses assets a spouse may want to give to children or other family members in the event of death.
- In the event of a divorce, the prenup eliminates battles over assets and finances.
- Signing a prenup does not mean that a couple is anticipating divorce.
- Prenups address financial matters need to be faced.
- A well-constructed prenuptial agreement can preserve family ties and inheritance.

Despite its many positive features, the prenuptial agreement cannot accomplish everything.

- A prenuptial agreement may be considered unromantic.
- A prenuptial agreement may give the appearance of a lack of trust between the partners.
- It is true that a prenup could create resentment between certain spouses.
- Certain requirements exist so that the prenuptial agreement cannot be declared invalid. These include failure to disclose all assets, evidence of fraud, forcing the agreement upon the other spouse, unfairness, and lack of representation at the time of signing the agreement.

If you are considering having a prenuptial agreement it is important to remember these things:

- Don't wait until the last minute to talk about financial matters. Discuss the agreement early in the relationship.
- Don't try to hide your thoughts, feelings, and especially your assets.

Note that Legal Helper Corp. –

<http://www.legalhelpmate.com/prenuptial-agreement.aspx>

– provides an

easy-to-use, quick, and economical online method for creating Prenuptial Agreement (Premarital).

Jeffrey Broobin is a free-lance writer on family and finance issues; his main goal is to help people during their complicated period of life.

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## **Get a Prenuptial Agreement before Your Next Marriage**

**By Jeffrey Broobin**

While signing a prenuptial agreement can be one of the all-time romantic turnoffs, for people heading into their second marriage, a prenuptial agreement can give the trade-off of a better relationship through the security of financial and life planning.

A prenuptial agreement is a legal contract between two people about to marry, specifying how assets will be distributed in the event of divorce or death. A prenuptial agreement is a good idea, even if you aren't rich or own a home. It saves future arguments and can even save you money.

A prenuptial agreement requires that each partner prepare an inventory of assets owned before the marriage, and it allows you to establish your separate priorities about those assets.

Even if you do nothing more than that in your prenuptial agreement, this gives children from a previous marriage a chance to have half of that property and establish what belonged to Mom or Dad before the second marriage, and it establishes what you're taking with you should you leave the marriage."

Statistically, second or third marriages are more likely to result in divorce than first-time unions. Because of this, a prenuptial agreement is an especially wise idea. A prenup is important if one of you is wealthier than the other. If you have assets such as a house, stock or retirement funds, you should have a prenup. A prenuptial agreement is essential if you own part or all of a business. A prenup can discuss your wishes if you may be receiving an inheritance. If you have relatives who need to be taken care of, such as disabled children or elderly parents, a prenuptial agreement is very important. If you expect to receive a big increase in income because of a growing business, a prenuptial agreement can address this issue. A prenuptial agreement is essential if you have children and/or grandchildren from a previous marriage.

We recommend that each partner draw up a list of assets. Furthermore, for professional couples, prenuptial agreements can be the ultimate protection against all-too-common lawsuits or medical malpractice suits. You can't predict all of your life events, and prenuptial agreements are a means of keeping your own assets safe in the event of any financial problems that your spouse may experience.

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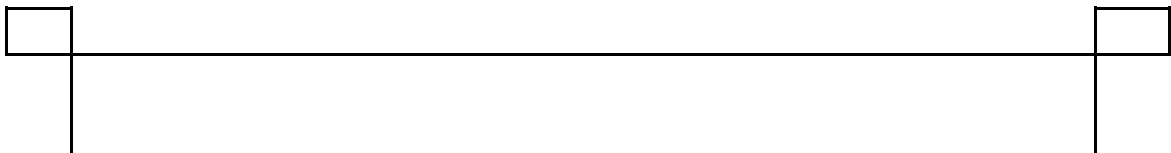
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