

Overview of Financial Issues Family Law



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MN Courts Divorce Information/Resources

<http://www.mncourts.gov/Help-Topics/Divorce.aspx>

Getting a Divorce: A Basic Guide to Minnesota Law

http://www.lawhelpmn.org/sites/default/files/2023-06/Final%202022%20Divorce_0.pdf

Main Financial Topics in Divorce are:

Division of Assets and Debts, Spousal Maintenance and Child Support

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Marital Property

Almost anything that you or your spouse acquired during the marriage, even during the times that you and your spouse were separated. This includes, but is not limited to, items such as money, real estate, boats, cabins, household goods, furniture, and jewelry.

Marital Debt Debt

Money that either spouse owes (incurred) since the marriage date, either separately or together.

What are some examples?

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Non-marital Property

Anything that:

- you or your spouse owned before the marriage;
- you or your spouse received as a gift, bequest, devise, or inheritance;
- you or your spouse got in trade or in exchange for your non-marital property;
- is an increase in the value of non-marital property;
- you or your spouse received after the valuation date set by the Court; or
- is included in a valid antenuptial (prenup) contract.

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Child Support

Court-ordered payments for the financial support of a child.

Child support includes the following three parts:

- o Basic support: payments for the costs of a child's housing, food, clothing, transportation, education, and other expenses related to care.
- o Medical support: providing health and dental insurance, payments for the costs of health and dental insurance that the other parent provides, and payments for uninsured or unreimbursed medical and dental expenses.
- o Child care support: payments for child care (day care) costs when parents go to work or school.

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Child Support Overview

<https://www.lawhelpmn.org/self-help-library/booklet/child-support-basics>

Guidelines Child Support Calculator

<https://childsupportcalculator.dhs.state.mn.us/>

Understanding Child Support - A handbook for parents (MN DHS)

<https://edocs.dhs.state.mn.us/lfserver/public/DHS-3393-ENG>

Child Support Basics (lawhelpmn.org)

www.lawhelpmn.org/sites/default/files/2023-05/Final%202022%20Child%20Support.pdf

Child Support and Taxes

Child Support Overview

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Let's follow the link above and learn about child support

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Child Support and Taxes

Start today's role play with the Maureen and Steve scenario from Day 1, plus the info below.

Steve earns \$20/hr and works 40 hours/wk. Maureen earns \$25/hr and works 40 hours/wk. Maureen insures the children. The cost for family is \$900/mo and employee only is \$200/mo.

With their current court order where Steve has the children every Thursday overnight and every other weekend (Friday, Sat and Sunday nights), which totals 5 overnights every two weeks or 130 overnights per year (5 x 26). Assume this schedule is not changing.

Oddly, they never had the court determine Basic Child Support, Medical Support or Childcare Support and they want to negotiate this now in mediation. The their older child, Paul, is starting hockey and they want to figure out how to divide the costs associated with that sport and to "reserve" Basic Child Support. Childcare costs \$500 per week total for both children.

Mediate dividing responsibility for childcare costs.

Mediate dividing kids medical insurance and out of pocket medical costs.

Mediate dividing hockey expenses without using the calculator.

Mediate (assume using guidelines calculator) for childcare, insurance and basic support.