

Pre-Nuptial, Post-Nuptial and Other Domestic Contracts

Overview

“Prenup” is a common buzz word. Rappers rap about it and celebrities make news with the content of their prenups. Like it or not, a large number of marriages today no longer continue “until death do us part.”

A pre-nuptial or post-nuptial agreement is extremely important. Businesses need protection from the divorces of their key players; families need to keep assets intact. It is far better to set the rules in advance, and the pre- or post-nuptial agreement is an essential part of planning to ensure future protection for both parties involved. In locations that allow common law marriage, civil unions or palimony, such agreements can serve much the same purpose as they serve other couples.

Another form of agreement that is gaining popularity, especially outside the US, is the estate planning agreement, by which couples enter into a binding agreement limited to their wills or estate planning. This avoids conflict at death, although many pre- or post-nuptial agreements already cover such issues.

The Trusts, Estates and Wealth Preservation Group at Dentons can help you and your partner to plan for the future, so that you are both aware of what will occur in the event of death or divorce.