

Prenuptial Agreements

Greenbaum's family law attorneys assist individuals and couples in the drafting of prenuptial agreements that address how financial and property matters will be addressed at the termination of a marriage. Many couples consider these proactive legal tools to be a practical way to provide clarity, protect assets, and avoid potential disputes and emotional upheaval should the marriage end in divorce or death.

Issues commonly addressed in a premarital agreement include the protection of separate property brought into the marriage, the division of marital property if the marriage ends, responsibility for debt, spousal support, and business interests. Custody and parenting time arrangements cannot be dictated by a prenuptial agreement.

In New Jersey, prenuptial agreements are governed by the Uniform Premarital and Pre-Civil Union Agreement Act, which sets forth specific requirements for their enforceability. In general, a prenuptial agreement must be in writing, be signed by both parties, include a full disclosure of each party's assets, liability and income, and be entered into voluntarily.

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