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The *Prenuptial* Agreement Checklist **YOU NEED.**

A prenuptial agreement is a practical and proactive way to outline financial and legal expectations before entering into marriage. Below is a comprehensive guide to key topics you should address when preparing for a prenuptial agreement.

FINANCIAL DISCLOSURE

It's essential for both parties to **provide a full and accurate** picture of their financial situation. This includes assets, liabilities, income, and expected inheritances or windfalls. Clear financial disclosure builds trust and ensures fairness in the agreement.

Questions to consider:

- ☐ What are your current assets, including real estate, investments, and savings?
- ☐ Are there any debts, such as loans or credit card balances, that you're bringing into the marriage?
- ☐ What is your annual income, and are there any foreseeable changes in the future?
- ☐ Do you expect to receive any inheritances or significant financial gifts?





PROPERTY OWNERSHIP

One of the primary purposes of a prenuptial agreement is to **clarify the ownership of property**. This section helps define what will be considered separate property and what will be shared marital property.

Questions to consider:

- ☐ Are there any assets you want to keep as separate property during the marriage?
- ☐ How will property or assets acquired after the marriage be classified?
- ☐ What will happen to shared property in the event of a divorce or separation?
- ☐ Are there specific personal or sentimental items that require special treatment?

Quick Tip:

Clearly listing all assets you want to remain separate—such as family heirlooms, pre-marriage investments, or sentimental items can help avoid future misunderstandings and preserve their value in case of life changes.

DEBT RESPONSIBILITY

Determining how debts will be managed can **prevent future financial disputes**. This section outlines who is responsible for debts brought into the marriage and those incurred during it.

Questions to consider:

- ☐ How should debts acquired before the marriage be handled?
- ☐ Who will be responsible for debts incurred jointly or individually during the marriage?
- ☐ Are there any particular financial obligations, such as student loans or business liabilities, that need to be addressed?

SPOUSAL SUPPORT (ALIMONY)

A prenuptial agreement can establish whether spousal support will be awarded in the event of a divorce and **define the terms** of such support.

Questions to consider:

- ☐ Should one spouse be entitled to financial support after a divorce?
- ☐ If so, how will the amount and duration of support be determined?
- ☐ Under what circumstances, if any, should spousal support be waived entirely?

BUSINESS INTERESTS

If either party owns a business, it's important to **include provisions that protect the business** and its future growth while addressing the contributions of the non-owning spouse.

Questions to consider:

- ☐ Does either spouse own a business or professional practice that needs to be safeguarded?
- ☐ How will profits or losses from the business be handled during the marriage?
- ☐ What provisions should apply if the business grows or evolves during the marriage?
- ☐ Should the value of the business be periodically updated to reflect its current worth?

INHERITANCE AND GIFTS

A prenuptial agreement can help **protect inheritances** and family gifts, ensuring they remain with the intended recipient.

Questions to consider:

- ☐ How should inheritances received before or during the marriage be treated?
- ☐ Are there any family heirlooms or assets that should be excluded from marital property?
- ☐ How should financial contributions from family members, such as monetary gifts or shared property, be classified?

DRAFTING A PRENUPTIAL AGREEMENT

To ensure a prenuptial agreement is legally enforceable, **both parties should have separate attorneys** review it. This helps confirm that the agreement is fair and fully complies with applicable laws. Signing the agreement well in advance of the wedding date ensures there's no appearance of coercion or undue pressure.



LET US GUIDE YOU THROUGH THE PROCESS

At L. M. Knox Law and Mediation, we specialize in crafting prenuptial agreements **tailored to your unique needs and circumstances**. Protect your assets, clarify your financial expectations, and start your marriage with confidence.



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