

## Northern Virginia Mediation Service

### Property Disposition & Spousal Support

The following issues should be raised with the parties and dealt with as appropriate.

#### Spousal Support

1. Have you shown the parties a copy of the spousal support statute Section 20-107.1?
2. Will there be spousal support?
3. What kind of spousal support will there be?
  - a. Periodic payments for an undefined period
  - b. Periodic payments for a defined period
  - c. For any combination of 3(a) and 3(b)
  - d. In a lump sum (one payment)
  - e. Remedial - for example to pay for college (again, any combination of 3(a) and (b)
4. Are the parties aware that there are several options regarding mention of spousal support in their agreement?
  - a. Specific spousal support arrangements
  - b. No mention - all potential rights to spousal support are waived by both parties
  - c. Reservation - the parties can decide that there will be no spousal support at this time, but their respective rights to spousal support should circumstances change may be reserved for a future agreement or court judgement and that the length of time the reservation lasts is presumed to equal 50% of the time between marriage and separation?
5. Are the parties aware that spousal support terminates automaticall upon the death of either party or the remarriage of the party receiving spousal support? An that it may be terminated by the court if there are substantial change in circumstances or if the receiving spouse cohabitating with another person in a relationship analogous to a marriage for one year or more?
6. Are the parties aware that there is no official spousal support guideline amount, similar to the child support guidelines?
  - a. Are the parties aware that there is a guideline amount for Fairfax County Circuit Court, but that it is binding only during the pendency of their suit for divorce?

#### SPOUSAL SUPPORT:

#### PERSONAL PROPERTY: MOTOR VEHICLES, HOUSEHOLD FURNISHINGS, BANK ACCOUNTS, CERTIFICATES OF DEPOSIT, STOCKS, BONDS AND SECURITIES (INTENDED DISTRIBUTION OF PROPERTY)

#### Automobiles and Other Motor Vehicles

Household Furnishings and Other Personal Property

Bank Accounts and Certificates of Deposit

Financial Institution	Type of Account	Names	Approx. Value/ Disposition
1.			
2.			
3.			
			TOTAL VALUE \$ _____

Financial Institution	Type of Account	Names	Approximate Value/ Disposition
1.			
2.			

Total value \_\_\_\_\_

REAL PROPERTY: RESIDENCE AND OTHER REAL PROPERTY

Description and Value of Real Property

Residence

Property Value

Retention of the Property for the Present Time

Responsibility for Property Until Sale

Mortgage Payment

Utilities.

Maintenance and Repair