



Prenuptial, Postnuptial & Cohabitation Agreements

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There are many reasons why couples may want to carefully structure their legal relationship by entering into a formal agreement regarding their assets and future rights and responsibilities. In some instances, one or the other member of the couple wants to safeguard assets and income for children of an earlier marriage, or the parties want to ensure that certain assets remain their own in the event that the marriage ends.

Stradley Ronon attorneys have extensive experience negotiating, drafting and handling all issues regarding premarital, postnuptial and cohabitation agreements. We prepare these agreements as tools to protect our clients' assets and address issues such as debt responsibilities, support obligations, real and personal property ownership and/or division upon divorce or death, rights to income and expense-sharing arrangements, and how disputes will be resolved – for instance, through arbitration or mediation as opposed to litigation.

The following is a brief description of each type of agreement and its purpose:

Premarital Agreements

A premarital agreement is a written contract between two parties that is

executed in anticipation of their marriage. This agreement provides individuals with certainty as to (1) the division of assets between the parties and (2) the financial support rights and obligations of the parties in the event of a separation or divorce. In essence, the agreement acts as a property settlement agreement if the couple divorces.

A premarital agreement can also contain provisions that affect how each party can dispose of assets in the event of the other's death. If drafted properly, a premarital agreement can help dispel financial uncertainties surrounding the couple's marriage and make both spouses comfortable.

Postnuptial Agreements

A postnuptial agreement is a written contract entered into by a couple during marriage. It generally dictates the division of the couple's assets, liabilities, and financial support rights and obligations in the event of a separation or divorce. Although entered into after the marriage begins, the reasons for entering into a postnuptial agreement are similar to those for entering into a premarital agreement.

Cohabitation Agreements

A cohabitation agreement is a written



contract between two parties who are living together but not married. Its provisions can protect the assets and set forth the financial entitlements and obligations of the parties during the period of their cohabitation as well as set forth how assets will be divided if the parties cease living together.

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About Stradley Ronon

For more than 95 years, Stradley Ronon has helped private and public companies – from small businesses to Fortune 500 corporations – achieve their goals. With nine offices and more than 200 attorneys, Stradley Ronon is proud to help companies manage their legal challenges and grow their businesses.

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