

Family Law Services Alert: Settling Your Divorce During Quarantine

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Most divorces are resolved by settlement as opposed to a trial. Settlement is beneficial to the parties because it affords some control over the outcome of the case, something that is not available if the issues are decided by a judge.

However, under the current restrictions due to COVID-19, settlement may appear more difficult. Financial circumstances are changing for many families and previously simple steps, like hiring movers, are now complex and potentially dangerous. These hurdles can be resolved, they just require creative thinking. For instance, determining an alimony award may be difficult if the payor spouse is furloughed or receiving reduced income. Hopefully, the situation will be temporary, and the parties could agree to a temporary support award with a date in the future to reevaluate. Similarly, parenting time while schools are closed and social distancing is required may look different than parenting time when restrictions are lifted. A short-term custody agreement can help parties settle their case and revisit parenting issues at a later date.

The solutions above can be used universally but most cases have distinct facts that require individualized solutions. Our Family Law Services team at Brach Eichler is uniquely situated to help craft a creative settlement to divorce cases. Our firm is able to utilize attorneys from multiple practice areas like real estate, labor and employment, and trusts and estates, to help clients think creatively about their case. For example, our attorneys have extensive knowledge of the Paycheck Protection Program which is necessary in cases where divorcing clients own a family business. Ensuring that clients are receiving all available financial benefits is crucial to helping settle a divorce. The uncertainty created by COVID-19 should not prevent parties from settling their divorce case.

If you have any questions about this alert or any other Family Law Services issue, please contact:

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