

# IL FAMILY LAW: SPOUSAL MAINTENANCE FACTORS

750 ILCS 5/504

## Factors for Determination:

- (1) the *income and property of each party*, including marital property apportioned and non-marital property assigned to the party seeking maintenance as well as all financial obligations imposed on the parties as a result of the dissolution of marriage;
- (2) the *needs* of each party;
- (3) the *realistic present and future earning capacity* of each party;
- (4) any *impairment of the present and future earning capacity* of the party seeking maintenance due to that party *devoting time to domestic duties or having forgone or delayed education*, training, employment, or career opportunities due to the marriage;
- (5) any *impairment of the realistic present or future earning capacity* of the party against whom maintenance is sought;
- (6) the *time necessary to enable the party seeking maintenance* to acquire appropriate education, training, and employment, and whether that party is able to support himself or herself through appropriate employment;
- (7) the *effect of any parental responsibility arrangements* and its effect on a party's ability to seek or maintain employment;
- (8) the *standard of living* established during the marriage;
- (9) the *duration* of the marriage;
- (10) the *age, health, station, occupation*, amount and sources of income, vocational skills, employability, estate, liabilities, and the needs of each of the parties;
- (11) *all sources of public and private income* including, without limitation, disability and retirement income;
- (12) the *tax consequences* to each party;
- (13) *contributions and services* by the party seeking maintenance to the education, training, career or career potential, or license of the other spouse;
- (14) any *valid agreement* of the parties; and
- (15) any other factor that the court expressly finds to be just and equitable.