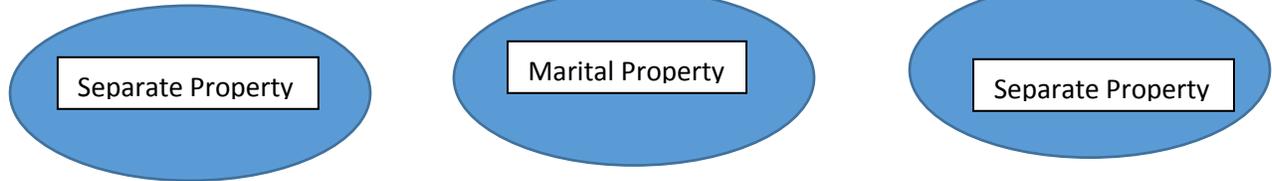


# What Prenuptial Agreements Discuss

## 1. Identification of Separate and Marital Property



- a. Is all Separate Property remaining Separate?
- b. What happens to both Separate Property and Marital Property if there is an “Event of Marital Dissolution”?

## 2. Spousal Maintenance

- a. Two types of Maintenance
  - i. Temporary (*Pendente Lite*) Maintenance
  - ii. Durational Spousal Maintenance
- b. If waiver, should there be any exceptions?

## 3. Estate Rights

- a. Default to the law with the Right of Spousal Election
- b. Waiver of Spousal Election
- c. Make own rules or make specific bequests

## 4. Promises for During Marriage

- a. Insurance
  - i. Life Insurance
  - ii. Disability Insurance
  - iii. Long-Term Care Insurance
- b. Property in Joint Name
  - i. Bank accounts
  - ii. Marital Residence
- c. Access to Money /Property

5. **Break-Up Procedures**

- a. Moving Out of Residence
- b. Selling Marital Residence
- c. Automatic Orders
- d. Alternative Dispute Resolution
  - i. Mediation
  - ii. Collaborative Divorce
  - iii. Arbitration on financial issues
- e. Payment of attorneys' fees

6. **Miscellaneous Issues**

- a. Choice of Law
- b. Confidentiality Clause
- c. Sunset Provision