

Maintenance or Alimony

Maintenance for the lower income earning spouse may be available if the parties have been married for at least five (5) years and there is a substantial difference in the income of the spouses. In new divorces, if maintenance is requested by either spouse, the Court will usually utilize a temporary maintenance worksheet to determine the approximate amount of maintenance to award. That worksheet appears on the next Page.

At a temporary hearing stage of a divorce, there is limited information available, the parties need immediate relief, and the time available for a hearing is usually limited, therefor, usually only the following factors are considered.

- Length of the marriage; marriages under 60 months usually warrant no maintenance. Marriages over 300 months are limited to 300 months.
- Gross income of both spouses
- Amount of child support ordered to be paid
- Amount of expenses claimed by the payee spouse

Consideration of state and federal taxes, special needs and circumstances of the parties, and other factors will be fully analyzed at the final divorce trial.