

Alimony, put simply, is a type of financial relief awarded to one of the parties in a divorce proceeding. Under Florida law there are several types of alimony that can be awarded for different purposes. The judge has a wide discretion in ordering alimony awards, a fact that makes the probability of an award very difficult. To get an alimony award, the asking party needs to prove that he or she has a need for the alimony and that the paying party has the ability to pay that amount. Either the husband or the wife can be awarded alimony ~ it all depends on which party is in need of financial support and who is better suited financially to provide that support.

Permanent/periodic alimony is an award of a certain amount of income on a regular basis to the spouse who is less able to support him or herself. There are numerous criteria that the court considers when determining the award of alimony. For example, the judge considers the duration of the marriage, the contributions of both parties to the marriage, the parties' standard of living during the marriage, and the financial resources of both spouses as factors which contribute to or detract from an award. Contributions to the marriage could be in the form of support provided by the wife as a homemaker or a good mother. Or, for example, if the wife contributed to building her husband's career, therefore sacrificing her own opportunity to increase her educational level, the judge might be more inclined to award her permanent alimony to equal the financial disparity between the spouses. Also, the duration of the marriage could play an important role in that permanent alimony will not likely be awarded in a short-term marriage. Alimony may terminate upon the death of the paying or receiving spouse, and also may end if either of the spouses remarries. Adultery committed by either spouse, if it depleted marital assets or increased the need of one of the spouses, may be considered by the court in determining an alimony award. For example, if one of the spouses is spending marital assets on a partner outside of the marriage and that affects the family's financial resources, the judge may order restitution.

Rehabilitative alimony is intended to help the party in need to regain the ability for self-support if that ability was lost during the marriage. For example, if the wife was a homemaker she might be awarded rehabilitative alimony while she returns to school to acquire skills that will improve her future employability. Rehabilitative alimony also may continue beyond the point she is able to support herself financially. The period during which the spouse was unemployed might factor into the duration of alimony paid ~ the longer the spouse was out of the workforce the longer it will take to become employable again.

Lump sum alimony is another name for a single sum awarded based on the need for support, the ability to pay and justification by the parties.

Temporary alimony is temporary relief to a spouse until the Final Judgment is entered. If, during the divorce, one of the spouses is unable to sustain him/herself financially, the other spouse might be required to temporarily provide support.

Payment of alimony needs to be determined before the child support is calculated because it is deductible from the paying spouse's income and is included in the receiving spouse's income when calculating the child support payments.

An award of one type of alimony does not preclude the award of another ~ it may be awarded in any combination of permanent, rehabilitative or lump sum payments. Additionally, once ordered, it is difficult to reverse the judge's order, although under certain conditions, alimony may be modified if there is a substantial change in either party's need or ability to pay.

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