

Is It Best To Divorce Before or After You Retire?

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Divorce is difficult at any time in a person's life. But, there are additional considerations when you happen to be getting ready for retirement at the same time you're preparing for divorce. Retirement requires financial preparedness, for example, and a job departure for retirement is sometimes required on a specified date that is not flexible, whereas spouses may be able to agree on the wisest date for divorce. The question is which order may make the most sense in your case — divorce first or retirement first?

Why Get a Divorce Before You Retire?

Here are several essential reasons why you may find that it will work best for you and your spouse to divorce before retirement:

- **Undergoing both major life changes simultaneously:** Going into retirement and getting divorced at the same time may put yourself in a tougher situation than necessary. It can be challenging just doing one of those two things. If possible, it is likely to be easier and less stressful to make one transition first and then the other.
- **A wider range of financial options:** A person's total household income after divorce is likely to be reduced from between nearly 25% to over 40%. If you're still earning, you may be able to regain what you're losing before you retire. You may have lost half of all you had saved as a married couple, but you may be able to do well building your own unencumbered individual retirement savings plan.
- **More control over your own retirement funds:** If your spouse is inclined to use large amounts of money for purchases without your approval, you may decide it's better to divorce earlier instead of waiting until after retirement so you can gain full control over your part of the marital assets before more losses accrue.

Why Get a Divorce After Retirement?

In many cases, it can make more sense to wait until after retirement to divorce. Here are some points to consider in favor of waiting to put retirement behind you before you file for divorce:

- Better emotional and mental position for divorce: It can make the divorce process seem much less emotionally taxing for people if they've already gotten through the process of leaving employment and entering retirement. They suddenly have abundant free time and can turn their attention to the divorce process with fewer other stressors.
- Avoiding consequences regarding spousal support: Some divorcing spouses who have retired and now have much lower income than when they were working may see their financial opportunities as being dependent on larger amounts of spousal support if they divorce while their spouse is still earning well before he or she soon retires.
- Avoids trying to accurately predict retirement finances: People tend to have difficulty predicting how much money they'll need during retirement. It can be unclear because predicting based on an entirely new lifestyle that you have no experience with can be complicated. Pursuing divorce after retirement pension funds have begun, and after you've spent some time living your life retired, puts you in a better position to budget and estimate your financial needs in retirement.

So, is it Better to Divorce Before or After Retirement?

Deciding when to divorce when you're nearing retirement can be a very complicated dilemma. There are financial factors mixed with a lifetime of emotional considerations. Finding the right approach to manage the difficulties of divorce and make the most of your opportunity to enjoy your retirement is a challenge for anyone facing both in a relatively short time frame.

Before filing for divorce in Utah, ask an experienced, empathetic divorce attorney for guidance on the practical aspects of your decision-making process. An experienced divorce attorney can help you evaluate your options and the pros and cons of each.

For Help with Divorce at Retirement, Call David Pedrazas

David Pedrazas has been helping people seeking to divorce in Utah navigate through the family court process and obtain the best and fairest possible outcome.

Call the Law Office of David Pedrazas, PLLC at (801) 263-7078 today for an appointment to get the information you need to help you make the best possible decision for the healthiest and most secure future for yourself and your family.
