

# Utah Alimony Laws – Spousal Support Attorney Salt Lake City

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## Determination Of Spousal Support – Utah Alimony Laws

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Alimony, also called spousal support, is financial support awarded by the court to a spouse, to be paid by the other spouse after a divorce. Under [Utah alimony laws](#), temporary alimony can be awarded to a spouse during a divorce and is to be paid by the other spouse during the period until the divorce is finalized, or until a later date specified in the order.

The final divorce decree or court order handed down by the judge can include a new order for alimony, at which time the temporary order is replaced by the new order. Temporary alimony is ordered to ensure the financial needs of a spouse are met while the divorce is in progress and the terms are being litigated by the parties and decided by the judge.

**Utah alimony laws are different than many other states. If you need a spousal support attorney, contact the Law Office of David Pedrazas.**

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[Alimony Calculator](#)

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## Factors That Influence Spousal Support According to Utah Alimony Laws

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- The financial requirements of the recipient, including debts and living expenses
- The earning capacity of the recipient based on the individual's work history and ability to work
- The ability of the paying spouse to sustain alimony payments, with consideration of both income and liabilities in the form of debts and living expenses
- How long the parties have been married
- Which parent will receive child custody
- Whether the party who is requesting alimony previously worked in a business owned or operated by the other party
- Contributions that the recipient made to the career of the paying spouse in the form of financial support during education

The goal of alimony is to provide the recipient with the necessary financial support to ease the transition from economic dependence during the marriage into financial self-sufficiency, while also making it possible to continue to enjoy an acceptable standard of living. It is important to note that the duration of an alimony award cannot extend longer than the length of time that the parties were married, under most circumstances.

## **Who May Be Awarded Alimony?**

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Either spouse in a divorce can ask the judge to award alimony. The financial support can be granted temporarily while the divorce case is still in progress. Or, it can be ordered for a longer time period, to extend beyond the date the divorce is finalized. The court typically considers the financial situation and needs of the spouse who asks for the temporary spousal support Utah allows, among other factors.

Some of the particular financial and other considerations the court takes into account in deciding on a temporary order for alimony include:

- The individual's financial obligations and ability to pay them.
- The person's earnings history and ability to produce income.
- Diminished workplace experience due to caring for the spouse's child.
- The ability of the paying spouse to provide support.
- The recipient's contributions to the other spouse's education lead to a higher income.
- Fault for the divorce, for example, due to infidelity, domestic abuse, etc.
- The couple's standard of living at the time they separated.
- The length of the marriage.

In some cases, the court will attempt to equalize the two divorcing spouses' standards of living.

## **How Long is Temporary Alimony Paid?**

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Alimony is not usually ordered in Utah for a period that exceeds the time length of the marriage. There are exceptions in some cases in which the court determines that there are good reasons to order alimony for a longer time. A temporary alimony order remains in force until a new order for a modification is issued by the court, or until the divorce is final, or until a specified date, the court sets for it to expire after the divorce is finalized.

## **Temporary Alimony is Not Automatically Ordered**

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You must submit good reasons to the court for your request for temporary alimony. Further, if you want to obtain a temporary order for any financial payments as part of a divorce, you must submit a Financial Declaration. That applies to temporary orders for alimony, child support, property division, attorney fees, and others. Your divorce attorney will properly prepare and submit your motion for a temporary order for alimony and the necessary accompanying documents.

## **How to Get a Temporary Alimony Order?**

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Temporary orders are used to address critical decisions that parties need from judges during the process of divorce. Such needs include decisions on temporary child custody and support, parent time schedules, property division, alimony, and others. To obtain temporary alimony, you must file a Motion for Temporary Order with the court. The motion can be filed along with the petition for divorce or afterward. Motions for temporary orders cannot be filed unless a complaint or petition for divorce is filed at the same time or the Petition For Divorce has already been filed beforehand.

## **To Respond to a Motion for a Temporary Alimony Order**

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If you *agree* with the other party's motion for a temporary alimony order, you and your lawyer can work with your spouse and his/her attorneys to complete a Stipulation and have it filed with the court. If you decide that you *oppose* the motion, or do not agree with some part(s) of it, you and your attorney can complete a Statement Opposing the Motion and file it with the court, along with any supporting documents that should accompany it.

## **Modifying Alimony in Utah**

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It is sometimes possible to obtain a formal modification of the court orders concerning payment of alimony, whether you cannot continue paying the amount you are now paying or if you need to increase the amount that you are receiving. The court will not approve the request for a spousal support modification unless you can supply adequate grounds of the necessity of the change, and modifications are only available when there has been a material shift of circumstances that were unforeseeable at the time of the divorce.

## **Alimony Enforcement In Salt Lake City**

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If the spouse who has been ordered to pay alimony falls behind on the payments or simply refuses to continue paying, the recipient may file a motion in court requesting the judge to enforce the order. The result could be the issuance of a judgment in favor of the recipient, which may be used to obtain a wage garnishment or a lien on the property, or the paying party may even be charged with contempt of court and subjected to penalties, including fines and time in jail.



Watch Video At: [https://youtu.be/\\_yBSZkGjer8](https://youtu.be/_yBSZkGjer8)

## **Utah Alimony FAQ**

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### **What Is Alimony?**

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### **Is Alimony Taxable?**

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### **How Does Alimony Work?**

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### **How Long Does Alimony Last?**

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### **How Is Alimony Calculated?**

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### **What Is Temporary Alimony?**

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### **What Is Transitional Alimony?**

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### **What Is Permanent Alimony?**

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### **When Is Alimony Not Awarded in a Utah Divorce?**

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### **How Long Are Alimony Payments?**

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**Can You Get Alimony if You Cheated?**

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**How Can I Avoid Paying Alimony?**

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**What Happens if I Don't Pay Alimony?**

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**Can a Woman Get Alimony if She Filed for Divorce?**

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**Can My Husband Quit His Job To Avoid Alimony?**

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**What Is Separate Maintenance?**

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**What Is the Purpose of Alimony?**

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**What Do I Do if I Want Alimony?**

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**What if I Don't Ask For Alimony During the Divorce, but Later I Decide I Need It?**

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**What Do I Do if My Spouse Wants Alimony, but I Don't Think I Can Pay, or I Don't Think He or She Needs Financial Support From Me?**

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**Can Men Ask For Alimony?**

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**What if I Am Receiving Alimony and I Get Remarried?**

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**What if My Spouse Agrees to Pay Me Alimony?**

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**Can My Alimony Order Be Changed After the Divorce?**

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**Divorce Alimony Calculator**

## **Schedule a Legal Consultation with an Award-Winning Salt Lake City Spousal Support Attorney**

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The outcome of the question of alimony could easily determine your ability to enjoy an acceptable standard of living and to move on from your divorce without being subjected to financial hardship. Don't take any chances with your case. Hire a [Salt Lake City divorce lawyer](#) with a proven track record of success.

**Contact us at the Law Office of David Pedrazas for a [Case Evaluation](#) to learn more about how we can help you understand Utah alimony laws and to take the first steps in your alimony case.**

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**What Our Clients in Salt Lake City are Saying**

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**CALL US (801) 263-7078 for an Attorney Consultation in Salt Lake City, UT**

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No one should have to face a difficult family law situation such as divorce without experienced guidance and an effective advocate to stand up for his or her rights and best interests. Our law firm provides family law and criminal DUI legal services to anyone through the Salt Lake valley.

Contact Us!

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