

# What To Know About Marital Standard Of Living In Alimony Cases

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When making decisions about whether to award alimony and how much, the Utah courts consider the divorcing couple's standard of living at the time they became separated. In cases of brief marriages without children, the judge may consider the individuals' standards of living at the time they married. In some cases, the court's objective may be to attempt to make the two parties' standards of living equal. Here are some other things to know about how the marital standard of living weighs in a [Utah divorce](#) court's determination of alimony.

## What is Alimony, and Who Can Qualify for It?

Alimony (spousal support) is a financial allowance that one party in a [family law](#) case is ordered by the court to pay to the other party during a legal separation, divorce process, or after a divorce is finalized. Either spouse may request that the court award alimony. Alimony can be awarded temporarily during the pending court case or for a longer period after the divorce decree has been issued, legally ending the marriage.

## What Factors Do Courts Consider in Alimony Decisions?

These and other factors may be considered by the [Utah divorce court](#) decisions of whether to award alimony and how much:

- The petitioner's earning capacity or ability to produce income. That includes employment history, ability to work, total income, and loss of opportunity for job experience due to raising children.

- The alimony petitioner's financial condition and needs, including monthly debts and other financial obligations and his or her ability to pay these.
- The petitioner's financial responsibility as a custodial parent supporting minor children.
- The respondent's ability to provide financial support for the spouse. That includes total income minus debts and other financial obligations. The respondent is prohibited from incurring additional debt for the purpose of overcoming a case for alimony.
- The length of time from the date the couple married to the day the divorce petition was filed with the court. A longer marriage typically means a greater potential for an alimony award.
- The petitioner's employment during the marriage in a business the spouse owns or operates.
- The alimony petitioner's contribution, if any, to increasing his/her spouse's marketable skills by sponsoring his/her education or by supporting him/her during school while married.
- The judge can also consider the two parties' individual degrees of fault for the failure of the marriage when deciding whether to grant alimony and the terms for it. Fault in a divorce case may involve:
  - Sexual infidelity.
  - Significantly damaging a child's or the litigant's spouse's financial stability.
  - Intentionally causing the spouse or a child to have a reasonable fear of life-threatening harm.
  - Intentionally physically harming or attempting to harm the spouse or a child.

## How Long Does Alimony Last?

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Divorce in Utah does not permit a court to award alimony for longer than the marriage lasted except in cases with special reasons. A litigant in a divorce case can file a request with the court at any time before the set period of the alimony is discontinued. That period includes the length of time during which temporary alimony was being paid while awaiting the finalization of the divorce by the court.

## For More Information About Alimony in Utah

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Using an alimony calculator to obtain a total number and dollar amount of alimony payments you may be required by the court to pay will not necessarily provide an accurate estimate. Variables and nuances in the court's considerations are not reflected in general calculations. Talk with an experienced Salt Lake City, UT, alimony lawyer for the best understanding of the potential outcomes of your alimony case.

See the Utah Courts Alimony webpage for other information about alimony in Utah, such as Temporary Alimony, Terminating Alimony, Registering a Foreign Order, Modifying Alimony, Modification of a Divorce Decree, Enforcing Alimony, and others.

## **Utah Alimony Dispute? Call David Pedrazas.**

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David Pedrazas has been protecting clients' rights in Utah divorce and alimony cases for over 20 years. He has been named by some of the country's most prominent legal organizations as one of the best Salt Lake City divorce lawyers.

**If you are in an alimony dispute, call the Law Office of David Pedrazas, PLLC, or contact us online for help obtaining a favorable outcome for your alimony case.**

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