



# Bridelawyer.com™

## The Modern Marriage Bundle

**Bridelawyer.com™**

### The 15-Minute Must-Have Chat

Before Marriage or Moving In

**Let's Be Real—Even Long-Term Couples Avoid "The Talk"**

You may be living together or dating for years and still not have had an honest conversation about money. It's time to have "The Talk." The things you've been keeping to yourself and your partner can do it sit down and talk openly about what you have, what you've seen, your goals, your dreams, and how each of you views money.

Remember, you come from different backgrounds and backgrounds. One partner might have wealth, be frugal or fiercely private about their finances. Another might have modest means but a generous heart.

The bottom line? You can't make assumptions—but you can have the conversation!

**Take 15 Minutes Together. Answer Honestly.**

1. What assets or debts are we each bringing into the relationship?  
2. Do we want to merge our bank accounts? We will consider our income to a joint account or keep things separate or a mix of both?  
3. If one of us earns significantly more, how will we handle shared expenses?  
4. Do we want to have children? Who will be on the title?  
5. If we break up, how should we divide joint purchases or bank accounts?  
6. Do either of us have family obligations (parents, kids, siblings) that we're financially supporting?  
7. Do we want to have a prenup or a postnup?  
8. Are our wills and beneficiaries up to date?  
9. Do we need a prenup, postnup, or cohabitation agreement?  
10. Do we want to have a prenup, postnup, or cohabitation agreement?  
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### Estate Planning 101 for Couples

Estate Planning Isn't Just for the Rich. It's for the Responsible.

**Wills**

- Designates who gets what (not just what state law provides)
- Appoint guardians for your kids
- Choose your executor (not an administrator chosen by the court)

**Trusts (optional, but powerful)**

- Can avoid probate
- Control how and when your assets are distributed
- Protect a partner or kids from relationship debts

**Powers of Attorney**

- Give someone authority to make financial or legal decisions if you can't

**Healthcare Powers**

- Appoint someone to make medical decisions for you
- Include a living will or advanced directive

**Beneficiary Designations**

- Review and update your life insurance, 401(k), IRA, bank and financial accounts etc.
- These override your will—make sure they match your desires

**Pro Tip:**

If you're living together but not married, your partner won't automatically inherit anything or be able to make decisions on your behalf. Estate planning ensures they're protected.

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### Cohabitation Checklist

Living Together Without Getting Married? Protect Yourselves.

Here's a quick legal prep checklist for unmarried couples sharing a home, finances, or major life moves:

**Disease Ownership**

- Whose name is on the lease or mortgage? (Realize the one whose name is on the document is the one who is legally liable)
- Who owns what furniture, home, pets, etc.?

**Clarity Contribution**

- Are there joint or separate accounts or mortgages?
- Who pays for utilities, groceries, or repairs?

**Joint Purchases**

- Who buys what or negotiates a couch? A dog?
- Who cooks what if you break up?

**Health & Emergencies**

- Do you each have powers of attorney or health care proxies?
- Can you make medical decisions for each other?

**Estate Planning**

- Whom do you inherit from each other?
- Are you listed as beneficiaries on retirement accounts, bank accounts and financial institutions?

**Exit Plan**

- Who gets what if one of you wants to move out?
- Who stays, and how are shared assets divided?

**Put It in Writing**

- Written agreements are great and certainly a first step, they are not legally binding in New Jersey. If you want your agreement to be held, put it in writing and have it properly drafted, executed, and notarized! You'll be happy you did!

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### Prenup vs. No Prenup - Cheat Sheet

Thinking About a Prenup? Here's What You Should Know

Topic	With a Prenup	Without a Prenup
Financial Transparency	Required upfront prenuptial agreement*	Often delayed until divorce proceedings*
Property	You choose how assets and debts are split	Default state law ("equitable distribution" in New Jersey)
Religious	Can be addressed or waived in advance or let for determination	Determined by a judge at the time of divorce or by way of settlement
Spousal Support	Can be addressed or waived in advance or let for determination	Can be addressed or waived in advance or let for determination
Debt	Can be addressed or waived in advance or let for determination	Can be addressed or waived in advance or let for determination
Protection	Can be waived for your partner's debts	Can be waived for your partner's debts
Inheritance	Can be waived for your partner's debts	Can be waived for your partner's debts
Rights	Can be protected and clarified	Generally state law and may vary by state
Business	Can protect business or future earnings	Business may be subject to division or valuation
Interests	Can protect business or future earnings	Business may be subject to division or valuation
Legal Costs	Typically lower lawyer costs in the event of divorce	Divorce litigation can be extended and financially costly

\*Full disclosure of assets is required in New Jersey, which means you'll know exactly what each party's assets and liabilities are before you get married, avoiding surprises during your marriage!

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By Shari A. Rivkind & Morgan J. Weil, Esqs.

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### Discuss Ownership

- Whose name is on the lease or mortgage? (Realize the one whose name is on the document is the one who is legally liable)
- Who owns what furniture, tech, pets, etc.?

### Clarify Contributions

- Are you splitting rent or mortgage?
- Who pays for utilities, groceries, or repairs?

### Joint Purchases

- Are you buying a car together? A couch? A dog?
- Who owns what if you break up?

### Health & Emergencies

- Do you each have powers of attorney or health care proxies?
- **Can you make medical decisions for each other?**

### Estate Planning

- Will you inherit from each other?
- Are you listed as beneficiaries on retirement accounts, bank accounts and financial institutions?

### Exit Plan

- What happens if one of you wants to move out?
- Who stays, and how are shared assets divided?

### Put It in Writing

While oral agreements are great and certainly a first step, they are not legally binding in New Jersey. If you want your agreement to be held, put it in writing and have it properly drafted, executed, and notarized! You'll be happy you did!

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#### **Let's Be Real—Even Long-Term Couples Avoid “The Talk”**

You could be living together or dating for years and still not have had an honest conversation about money. But here's the truth: finances are one of the leading causes of breakups. The best thing you and your partner can do is sit down and talk openly about what you have, what you owe, your goals, your dreams, and how each of you views money.

Remember, you both come from different families and backgrounds. You may be surprised by how differently people see the world financially. One partner might have wealth but be frugal or fiercely private about their finances. Another might have modest means but a generous heart.

The bottom line? You can't make assumptions—but you can have the conversation!

#### **Take 15 Minutes Together. Answer Honestly.**

1. What assets or debts are we each bringing into the relationship?
2. Are we combining finances? If so, how? We will contribute all our income to a joint account or keep things separate or a mix of both?
3. If one of us earns significantly more, how will we handle shared expenses?
4. Do we plan to buy property together? Whose name will be on the title?
5. If we break up, how should we divide joint purchases or bank accounts?
6. Do either of us have family obligations (parents, kids, siblings) that we're financially supporting?
7. Do we have a plan if one of us becomes seriously ill or disabled?
8. Are our wills and beneficiaries up to date?
9. Do we need a prenup, postnup, or cohabitation agreement?
10. Are we on the same page about long-term planning, like marriage, children, and care for loved ones? How about vacations, long-term investments, and retirement plans?

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<b>Financial</b>		
<b>Transparency</b>	Required upfront – protects both parties*	Often delayed until divorce proceedings
<b>Property</b>		
<b>Division</b>	You choose how assets and debts are split	Default to state law (“equitable distribution” in New Jersey)
<b>Spousal</b>		
<b>Support</b>	Can be addressed or waived in advance or left for determination later	Determined by a judge at the time of divorce or by way of settlement
<b>Debt</b>		
<b>Protection</b>		
<b>Inheritance</b>	You can limit liability for your partner's debt	You may be responsible for joint or even some individual debts
<b>Rights</b>		
<b>Business</b>	Can be protected and clarified	Governed by state law and may be challenged
<b>Interests</b>		
<b>Legal</b>	Can protect a business or future ownership	Business may be subject to division or valuation
<b>Costs</b>	Typically lowers future costs in the event of divorce	Divorce litigation can be emotionally and financially draining

A prenup isn't planning for divorce—it's planning to protect the life you're building. If it's not right for you, that's OK. But don't assume "no prenup" means no plan—it just means state law or a judge may decide.

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