

DISTRIBUTION

By:
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PHILOSOPHY

- Economic Partnership
- Equal Is Mandatory

UNLESS.....

BURDEN OF PROOF

- Party Desiring Unequal Division
- Preponderance of Evidence

WEIGHT



- Discretion
- 1 Factor Sufficient
- No Value Need Be Given

APPELLATE REVIEW

Abuse of Discretion



FINDINGS OF FACT

- Written Findings
- Equal or Unequal
- Evidence Re Factor
 - Requires Finding
- Stipulate Equal
 - No Findings

FACTORS

- 12 Statutory
- Prohibited Factors
- Post Separation Factors



MANNER OF DISTRIBUTION

- In-Kind
- Distributive Awards
 - ✓ 6 Year Rule
 - ✓ Interest
 - ✓ Secured Liens
 - ✓ Findings



MANNER OF DISTRIBUTION

- QDRO
- Real Property
 - ✓ Deed
 - ✓ Sale



GENERAL

- Delay
- Balancing Act



TRANSFER OF PROPERTY

- Vehicles
 - ⇒ DMV
- Real Property
 - ⇒ Legal Description
 - ⇒ Clerk

MILITARY PENSIONS




