



NEW JERSEY STATUTES
GUIDELINES FOR ALIMONY, CHILD SUPPORT
AND EQUITABLE DISTRIBUTION

82 GRAND AVENUE, ENGLEWOOD, NJ 07631

T: 201.568.5510 / F: 201.568.5518



ALIMONY

In all actions brought for divorce, divorce from bed and board, or nullity, the Court may award permanent or rehabilitative alimony, or both, to either party, and in doing so shall consider, but not be limited by, the following factors:

- a) The actual need and ability of the parties to pay;
- b) The duration of the marriage;
- c) The age, physical and emotional health of the parties;
- d) The standard of living established in the marriage and the likelihood that each party can maintain a reasonably comparable standard of living;
- e) The earning capacities, educational levels, vocational skills and employability of the parties;
- f) The length of absence from the job market and custodial responsibilities for the children of the party seeking maintenance;
- g) The time and expense necessary to acquire sufficient education or training to enable a party seeking maintenance to find appropriate employment, the availability of the training and employment, and the opportunity for future acquisitions of capital assets and income;
- h) The history of the financial or non-financial contributions to the marriage by each party including contributions to the care and education of the children and interruption of personal careers or educational opportunities;
- i) The equitable distribution of property ordered and any payouts on equitable distribution, directly or indirectly, out of current income, to the extent this consideration is reasonable, just and fair; and
- j) Any other factors which the Court may deem relevant.



CHILD SUPPORT

In determining the amount of to be paid by a parent for support of the child and the period during which the duty of support is owed, the Court in those cases not governed by the Child Support Guidelines shall consider, but not be limited to, the following factors:

- a) Need of the child;
- b) Standard of living and economic circumstances of each parent;
- c) All sourced of income and assets of each parent;
- d) Earning ability of each parent, including educational background, training, employment skills, work experience, custodial responsibility for children including the cost of providing child care and the length of time and cost of each parent to obtain training or experience for appropriate employment;
- e) Need and capacity of the child for education, including higher education;
- f) Age and health of the child and each parent;
- g) Income, assets and earning ability of the child;
- h) Responsibility of the parents for the Court ordered support of others;
- i) Reasonable debts and liabilities of each child and parent; and
- j) Any other factors the Court may deem relevant.

EQUITABLE DISTRIBUTION

In making an equitable distribution of property, the Court shall consider, but not be limited to, the following factors:

- a) The duration of the marriage;
- b) The age and physical and emotional health of the parties;
- c) The income or property brought to the marriage by each party;
- d) The standard of living established during the marriage;
- e) Any written agreement made by the parties before or during the marriage considering an arrangement of property distribution;



- f) The economic circumstances of each party at the time the division of property becomes effective;
- g) The income and earning capacity of each party, including educational background, training, employment skills, work experience, length of absence from the job market, custodial responsibilities for children, and the time and expense necessary to acquire sufficient education or training to enable the party to become self-supporting at a standard of living reasonably comparable to that enjoyed during the marriage;
- h) The contribution by each party to the education, training or earning power of the other;
- i) The contribution of each party to the acquisitions, dissipation, preservation, depreciation or appreciation in the amount or value of the marital property;
- j) The tax consequences of the proposed distribution to each party;
- k) The present value of the property;
- l) The need of a parent who has physical custody of a child to own or occupy the marital residence and to use or own the household effects;
- m) The debts and liabilities of the parties;
- n) The need for creation, now or in the future, or a trust fund to secure reasonably foreseeable medical or educational costs for a spouse or children; and
- o) Any other factors which the Court may deem relevant.

It shall be a rebuttal presumption that each party made a substantial financial or non-financial contribution to the acquisition of income and property while the party was married.

In every case, the Court shall make specific findings of fact on the evidence relative to all issues pertaining to asset eligibility or ineligibility, asset valuation and equitable distribution, including specifically, but not limited to, the factors set forth in this section.

References: N.J.S.A. 1A:34-2.3 and N.J.S.A. 2A:34-23.1
NJRR APPENDIX IX-C