

## **If My Spouse Wasted Marital Assets, Can it Play a Role in Asset Division?**

It is no secret that divorce can sometimes get ugly. For many, no matter how good their intentions are, once they begin the process, the path toward reaching an agreement turns into a hard battle. Some spouses might even resort to either hiding or spending marital assets to keep the other from getting their fair share. For example, if a spouse knows divorce is on the horizon wastes marital assets in anticipation of it, he or she could reap some serious consequences for such actions.

### **Defining Wasteful Dissipation**

Just because a spouse spends marital assets, does not necessarily mean it will be considered wasteful dissipation or that it would affect asset division. If a spouse has a history of spending frivolously, the court would not likely see this behavior as an act of revenge to keep the other spouse from receiving the assets he or she deserves.

### **Some examples of wasteful dissipation include:**

- Selling a business or piece of real estate for less than what it is worth
- Purchasing lavish gifts and spending marital assets on an affair
- Purposely allowing a home to go into foreclosure
- Wasting money on booze, drugs, and reckless partying
- Gambling

Moreover, the total of the money wasted will also determine whether or not a spouse engaged in wasteful dissipation. If a spouse bought a gift of flowers, or something equally minor, for a lover, it likely would not be considered wasteful dissipation. On the other hand, if a spouse took his or her lover on an expensive trip abroad, it would probably be considered a wasteful dissipation of assets.

The court will also look at the spending habits of a spouse. For example, if frivolous spending was once condoned and accepted, a spouse might have a more difficult time convincing the judge that it was an act of wasteful dissipation.

In the event that wasteful dissipation can be proven, it would impact how assets and property are divided. To make up for the wasted assets, the other spouse would receive a larger share. If you believe your spouse wastefully dissipated marital assets, it is crucial to obtain skilled legal counsel as soon as possible to begin building a case. Proving that a spouse wastefully dissipated marital assets can be challenging, so attempting this on your own can easily go wrong without an expert on your side.

### **Speak to a Knowledgeable Divorce Attorney as Soon as Possible!**

At Sullivan Law & Associates, our divorce attorneys have the experience, knowledge, and resources essential to help you navigate the divorce process, no matter how complicated your case might be. If you suspect your spouse is hiding or wasted assets, you can depend on our law legal team to prove this in court, so you can receive a fair divorce settlement. Backed by a track record of proven success, you know you will be able to count on us to represent you in or out of court.

**Reach out to our law office today at (949) 565-2793 to request a confidential and complimentary case evaluation with one of our trusted attorneys to discuss your case and find out how we can assist you. You do not have to go through this alone.**