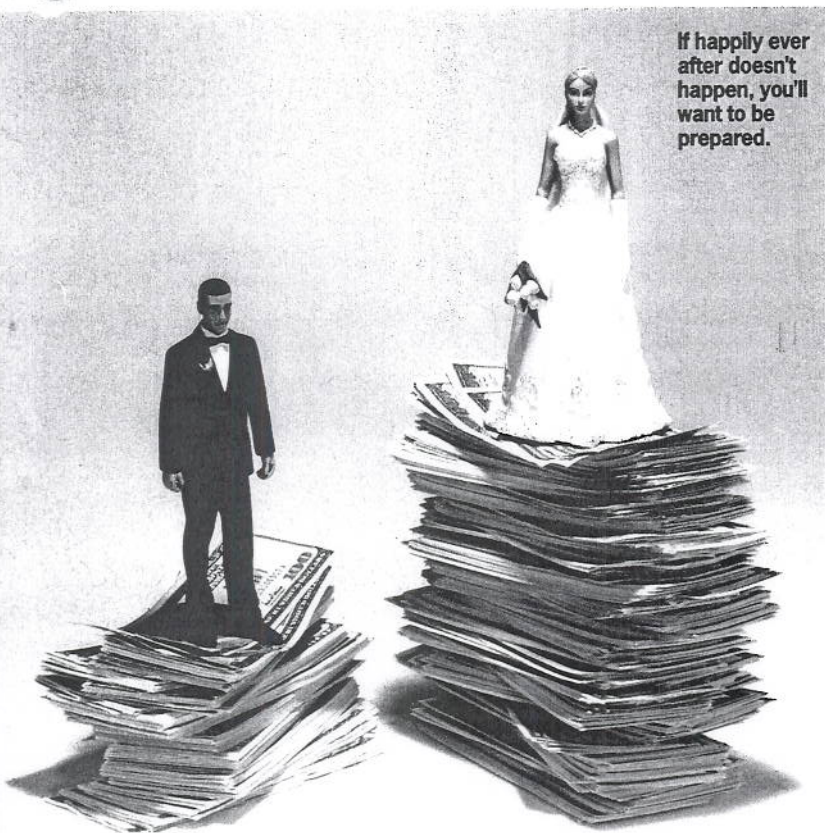


**Love
Blinders**
In the U.S., most people
think their chances
of divorcing are only
12 percent.



Will You Need a Prenup?

No longer just for the rich and famous, these protection plans are becoming more popular with regular chicks.

By Molly Triffin

■ With celebs marrying and then divorcing a few years (or months) later, there has been a lot of buzz about prenuptial agreements. But not only stars get them. "Prenups are increasing for young couples," says Dallas attorney Steven Buholz. "Ten years ago, 5 percent of my clients wanted them. Today, 30 percent do." And an American Academy of Matrimonial Lawyers poll found that 80 percent of members have seen prenups rise since 2001.

Why the upswing? People are getting hitched later and already have assets. But even if your bank account is modest, a prenup can protect future

earnings and ensure you won't be liable for your spouse's debts. Plus, it's not just guys requesting them anymore. "Half my clients seeking prenups are female," says Katherine Stoner, an attorney in Pacific Grove, California, and coauthor of *Prenuptial Agreements*. Find out if *you* should consider one.

Prenups 101

"A prenup is a contract, drawn up before marriage, stating how property and money will be divided in case of divorce or death," explains NYC attorney Arlene Dubin, author of *Prenups for Lovers*. In 41 states, assets acquired

during marriage will be divided between divorcing spouses as a judge sees fit. But if you have a prenup, it spells out how assets will be divided up. In the other nine states, property you earn may be split 50-50 unless a prenup states otherwise.

For virtually every state, most assets owned premarriage will remain yours if you keep them in your name, even without a prenup. In 39 states, prenups also can dictate alimony.

You can have special provisions (like a no-filing clause), but "those specifications are often difficult to prove and enforce," says Dubin. Aside from that, prenups are almost always upheld.

Who Needs One

With nearly half of marriages ending in divorce, you can't afford not to think about what will happen if you and your husband split. The tricky part is how to bring it up. Paul Coleman, PsyD, author of *The 30 Secrets of Happily Married Couples*, suggests saying: "Hopefully, we won't need to use it, but I think it's smart to get a prenup to protect ourselves. I'm not worried we'll break up; I'm just being realistic." And if he asks for one, try not to freak. "Discussing money early strengthens your bond," says Coleman.

How to Get It

"The prenup should be finalized at least a month before you marry, so start planning six months ahead," notes Stoner. You'll each need a lawyer with prenup experience. Get a recommendation or search on martindale.com, which publishes peer-review ratings of attorneys. Having the document drawn up will cost between several hundred and several thousand dollars per lawyer, depending on how specific it is, but if you plan to work hard to build a sweet life for yourself, it may be worth it. ■

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