

# Divorce Division of Assets in Utah

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Division of assets during a divorce in the state of Utah is governed by a legal theory called equitable division. ***Equitable division of assets will not necessarily be an equal 50/50 split***, instead, the court will consider factors like the length of the marriage, the health of each spouse and the occupation of each spouse to determine a fair division.

Splitting property accumulated during your marriage like real property, possessions and intangible financial assets like retirement, dividends and benefits will be divided during your divorce – regardless of which spouse holds the title or policy. However, ***there are several factors that will affect the division including the distinction of marital or separate assets, the value of your assets, a prenuptial agreement or inherited assets.***

When you and your spouse agree upon the division of property during mediation, the judge will determine if it is an acceptable fair and reasonable agreement. ***If both parties cannot come to an agreement, the court will order a fair division of the marital estate*** in the final judgment within your divorce decree.

***Wasatch Defense Attorneys*** have decades of experience in divorce and the division of assets in the state of Utah and will ensure you receive ***a fair and favorable ruling for the division of your marital assets.*** Call us at **801-845-3509** for your **FREE, no-obligation case review to determine your best legal options.**

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## Defining, Valuing and Dividing Property in Divorce

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**Property is Defined** as real property like your home or land and any property attached to it. Personal property includes possessions like vehicles, furniture, jewelry, clothing, tools, household items, and collections. Intangible financial assets will include income,

investments, retirement, dividends, and benefits.

**Property Value** is the fair and impartial assessment of the property's value. **To determine an accurate evaluation of real property you will need an appraisal from a professional real estate appraiser.** While household items are typically not included in a division of assets during a divorce unless you have an item of significant value. Otherwise, the personal property like collectibles and vehicles can be determined by its resale value.

**Property Division** should be guided by the general rule that if there are two of something, each party will receive one. Dividing furniture and household items should be done so that each individual will be able to set up a separate life and home. **When all factors are considered, marital property, including intangible financial assets, will be distributed between both parties in an equitable manner.**

## Equitable Distribution in Utah

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Utah is considered an equitable distribution or common law state which means that the property owner is not automatically assumed to be both spouses equally. **Instead, property should be divided fairly based on the amount of time the couple was married and his or her separate assets when they entered the marriage union.**

From the date on the marriage certificate to the date of separation, **a marriage that is 10 years or longer is considered a long-term marriage. A marriage of less than 10 years is considered a short-term marriage.** Equitable distribution of property and alimony is primarily guided by the length of time you have been married:

- **A Long-Term Marriage** will usually end with an equitable division of 50/50 for each party.
- **A Short-Term Marriages** will typically end with dividing assets to put you and your spouse back into the same positions you were in before the marriage.

## Choose an Experienced Divorce Asset Division Team in Utah

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To safeguard your legal rights and the right to an equitable division of your assets, you need an **experienced divorce lawyer in Utah to discuss your options and make sure you receive the best possible outcome for your future.** Our compassionate **divorce and asset division attorneys** are dedicated to helping our clients **work through the complicated process of dividing assets and debts, child custody, child support and alimony** to ensure your divorce decree is favorable and fair. **Contact Wasatch Defense Attorneys today at 801-845-3509 for your free, no obligation case review.** We offer payment plans and military discounts.