

Texas Spousal Support/Maintenance/Alimony Factors

In Texas the support payments (if any) can certainly influence how the marital property distribution is awarded, which is why it can become a very intricate part of the final outcome of any divorce. Keeping this in mind, if you and your spouse are unable to reach an agreement on this issue, the District Court will order support from one spouse to the other on a case-by-case basis as follows:

In determining the nature, amount, duration, and manner of periodic payments, the court shall consider all relevant factors, including:

- (1) the financial resources of the spouse seeking maintenance, including the community and separate property and liabilities apportioned to that spouse in the dissolution proceeding, and that spouse's ability to meet the spouse's needs independently;
- (2) the education and job skills of the spouses;
- (3) the length of the marriage;
- (4) the age, employment history, earning ability, and health condition of the spouse seeking maintenance;
- (5) the ability of the spouse from whom maintenance is requested to meet that spouse's personal needs;
- (6) the dissipation of any marital assets;
- (7) the financial resources of the spouses;
- (8) the contribution by one spouse to the education or earning capacity of the other;
- (9) any pre-marital property;
- (10) the contribution of a spouse as homemaker;
- (11) Any marital misconduct of the spouse seeking maintenance; and
- (12) the efforts of the spouse seeking maintenance to pursue available employment counseling as provided by Chapter 304, Labor Code. (Texas Code - Family Code - Chapters: 8.001-8.055)

You can also read more about Texas spousal support in the Texas state statutes located at: <http://www.capitol.state.tx.us/>.