

## DISCUSSION ABOUT ALIMONY GUIDELINES IN NEW JERSEY

There is movement in New Jersey for the creation of alimony guidelines which could allow litigants and their attorneys the opportunity to calculate an amount of alimony without regard to our detailed law which sets forth what factors a Court must consider when awarding alimony. There are good arguments on both 'sides of the fence' on this issue.

We have child support guidelines in place which are binding upon all parties unless a Court can be convinced there are good reasons to deviate from the guidelines. The problem is from my experience it is extremely difficult to deviate from the guidelines as the Judges are comfortable using the guidelines and rarely deviate from these figures. Is this what will happen if we have alimony guidelines in the future?

Interestingly, other states have adopted alimony guidelines, but there does not appear to be a consensus as to how the amount of alimony should be determined. While attorneys in New Jersey have traditionally advised their clients as to how much alimony you can expect to receive or pay, Judges must adhere to the alimony laws which list many factors a Court must review before coming up with a final number. Sometimes only a few of the factors are important, but in some cases there may be a special reason why alimony should be higher, or lower.

While alimony guidelines may create some certainty in New Jersey, what will litigants be giving up in the long run? Stay tuned for future developments.