

## How do Oregon courts make decisions about spousal support?

Written by Australian Business

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September 27, 2013 /**24-7PressRelease**/ -- One of the most pressing questions that many have when going through divorce is what their financial situations are going to be like after they end their marriages. Many spouses are unable to support themselves and rely on spousal support payments from their ex-spouses. Those going through divorce in Oregon should understand the different types of spousal support available and the factors the court considers when awarding spousal support.

### Types of spousal support

The three types of [spousal support](#) in Oregon are:- **Transitional**: Courts award transitional spousal support so that one spouse has financial assistance while attaining education or training in order to reenter the job market or advance in a career. Transitional alimony awards are most common in short or medium-term marriages where one spouse needs assistance for a limited amount of time while preparing to become economically self-sufficient.-

#### **Compensatory**

: Courts will award compensatory spousal support when one spouse has made a significant contribution to the education, training, earning capacity or career of the other spouse or when one spouse receives more assets in the

[property division](#)

and there are no other assets to equalize the property distribution.-

#### **Maintenance**

: Courts award maintenance spousal support so that one spouse is helping to meet the other spouse's financial needs. Maintenance awards can be for a specific amount of time or continue indefinitely. Courts generally award maintenance alimony when spouses in long-term marriages split and there is a serious gap between the earning capacities of the spouses that will likely never close.

A court may award a combination of different types of spousal support in a divorce.

It is important for people to be aware of the type of spousal support a court awards in their divorce cases. While either party has the right to challenge the length or amount of a spousal support award based on unexpected and substantial changes to a spouse's financial situation, Oregon law sets the standard higher for modifying compensatory spousal support awards. A spouse paying compensatory spousal support must show an "involuntary, extraordinary and unanticipated" change in circumstances that reduces his or her earning capacity before the court will modify compensatory spousal support awards.

### Factors in determining alimony

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The court considers several factors when deciding whether to award spousal support and how much support is appropriate, including:- The length of the marriage.- The age of each spouse.- The health of each spouse.- The work experience of each spouse.- Each spouse's earning capacity.- The standard of living the couple maintained during the marriage.- Each spouse's share of the property division.- The responsibility of each spouse for marital debts.- The parenting plan, if applicable.- Whether a spouse needs education or training to enter the workforce.- Whether one spouse made a substantial contribution to the earning capacity of the other spouse.- Other financial and tax implications.- Any other factors the court deems relevant.

### **Talk to a lawyer**

The financial aspects of divorce can be complicated. Many people become overwhelmed trying to sort out all of the details by themselves. A skilled divorce attorney can help clarify things. If you are considering divorce, speak with a knowledgeable divorce attorney who can answer your questions and advise you how to proceed.

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