

## Monetary Issues in Dissolution Situations:

### ATTORNEY FEES:

The Court may award attorney fees to one party. No one is entitled to an award of attorney fees as a matter of right in a dissolution proceeding. Often, the Court will award attorney fees when the disparity of income of the parties is great. The party earning the greater amount of money might be ordered to pay a portion of the other's attorney fees. Rarely, will a court order one party to pay the other's attorney fees in full.

### COLLEGE FUNDS

The Indiana Child Support Guidelines set forth the formula for computing the amount of money each parent must contribute to the child's college education. Several factors influence the total amount of money to be allocated, including the tuition at the school, whether the institution is public or private/in-state or out-of-state school, the contribution to be made by the student, financial aid available, and the number of weeks the child is in residence at the school. After these items, and others, are plugged into the State's formula, the parents' percentage of child support contribution is applied to the resulting number. Therefore, the parents contribute to the child's college expenses in the same portion as they do to the child's support. The distribution of college expenses is sensitive to the numbers used in the calculation; each case presents a unique situation that will ultimately be resolved on its own facts.

### VOLUNTARY CONTRIBUTION TO SAVINGS/RETIREMENT PLANS:

The provisional period of the dissolution proceeding is an expensive time. The parties are maintaining two households, paying for legal representation and in the event of a custody battle, paying for a custody evaluation and a guardian ad litem. When finances are tight, the Court takes the position that voluntary contributions to savings and retirement plans must be put on hold. First and foremost the Court tries to maintain the status quo and preserve marital assets.