Question:

My wife and I took out a number of loans to pay for our wedding ceremony, which was held several months after we were legally married.

In terms of property division , is she responsible for half of the loan debt from the wedding since we have not paid them off yet?

Answer:

This answer only includes general divorce help for men since I am only licensed to practice in Oklahoma and am thus unable to provide any legal advice on divorce laws in your state.

Regarding the loans you took out to pay for your wedding, if those debts were incurred after you were legally married, they would be marital debt and subject to division in the divorce as well.

In order to get your wife to pay her share of those loans, you would need to show that you were married when the debt was incurred.

Every state prescribes certain formalities for marriage. While details vary, regulations generally fall into two categories – licensure and solemnization.

This boils down to two steps, getting a marriage license, and having a ceremony. If you went through any sort of ceremony (i.e. you were married by a Justice of the Peace) before you took out the loans to pay for your wedding, you may have a claim that those loans are marital debt and that your wife should pay her equitable share.

If all you had was the license, then you may have an uphill battle in convincing the court that you were already married. Again, you also have the option of agreeing to some other arrangement wherein you and your wife split the loans.

Please understand that my opinions are based upon the limited facts that you provided to me. For a more in depth discussion of fathers rights and legal advice on divorce, I urge you to contact a family law attorney.

To set up an appointment with a Cordell & Cordell mens divorce attorney, including Christian D. Barnard
, an Associate Attorney in the Tulsa, Oklahoma, office, please
contact Cordell & Cordell
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