

Question:

I am currently contemplating a divorce and would like at least 50/50 custody. Our situation is complicated by a few factors. Originally from St. Louis, we currently own a home in Alabama together. I do not get out of the military for two years and therefore will not be able to maintain custody during that period of time. Will it be possible to reserve custody rights for a future date, for when I move back to St. Louis and rejoin my son? I purchased a car for my wife but since I was overseas I was unable to put my name on the title. Her dad did so instead. Will the court simply award her the car regardless of circumstance? When I initially transition back to civilian life I will likely be living solely off of my GI bill and will be a full time student. Will my child support obligations change to something more practical (assuming I can not retain 50/50 custody)? Thank you very much and I appreciate any guidance you could provide.

Answer:

Allow me to preface my answer to your question with the disclaimer that I am not licensed to practice law in the state of Alabama. Generally, if you and your wife agree to have a future custody or support situation then you can enter into an agreement to that effect. However, a judge will not (or can not) enter into an order contemplating the future unless you agree. Therefore, whatever the order would be now (in the military), you will have to file a Motion to Modify when you get out.