

Divorce and Taxes

Generally speaking, although payments that are part of a property settlement may be discharged in bankruptcy, maintenance obligations usually are not dischargeable in bankruptcy.¹ Even maintenance payments required by a prenuptial or postnuptial agreement may be protected from a discharge in bankruptcy.² The real problem comes in convincing the bankruptcy court that what you and your spouse call "maintenance" really is maintenance and not just a property settlement in disguise.³

This article was written by the law office of Cowell Taradash, P.C., whose attorneys are familiar with the latest court decisions, recent changes in the law and even the tendencies of many judges. We can help. Contact us at 866.987.6723 or info@illinoisdivorce.com.