

MILITARY DIVORCE Checklist



What you need to know:

- 1. You or your Spouse must be a legal resident of, or be stationed in Nevada for at least 6 weeks.
- 2. The **Soldiers and Sailors Civil Relief Act, 50 UCS section 521**, along with Nevada courts, says the divorce proceeding may be postponed for the entire time the active service member is away on duty and for up to 60 days after their return.
- 3. In Nevada, regular guidelines and worksheets for both child and spousal support are used to determine awards. These amounts may not exceed a certain percentage of a military member's pay and other allowances, including retirement.
- 4. The time you have been married can be determined by different criteria, therefore affecting the 10/10 and 20/20/20 rules.
- 5. Counting points instead of years and months? Learn the difference and which you qualify to use while calculating the length of your marriage.
- 6. As a spouse, you are probably the beneficiary of a **Survivor Benefit Plan**. If divorced, you are *not* guaranteed to remain the beneficiary, it must be addressed in the divorce settlement.
- 7. If awarded retirement benefits, the **Thrift Savings Plan** which is like a 401k is worth investigating.
- 8. Awards and payments can differ while Active vs. Retired. A long-term plan can be put in place to assure your benefits continue should your Military Ex make it to retirement.

More Military Rules

- What is the **Uniformed Services Former Spouses' Protection Act (USFSPA)**?
A federal statute guiding the military member to accept individual State statutes regarding child and spousal support and retirement pay.
- What is the **10/10 Rule**?
Criteria concerning Military Retirement Pay or Pension, which may be in addition to Child Support or Alimony payments.
- What is the **20/20/20 Rule**?
Rules affecting continued Base Privileges and TriCare healthcare.
- What is the **20/20/15 Rule**?
Your final reason to hire a Legal Professional to advise you!

“Getting re-married? Unless you tie the knot again with another Military Member, plan on losing most of your benefits.”