

LGBTQ Family Law

Same-sex marriage is relatively new to the U.S. states, so same-sex legalities seem to be ever changing. Washington D.C., Maryland and Virginia all recognize same-sex marriage – and all three jurisdictions have begun to see same-sex divorces. Our firm has represented members of the LGBTQ community for decades.

Even if marriage is not contemplated or involved, we help same-sex couples enter into binding agreements in contested and uncontested [child custody](#) and [child support](#) situations, and we are tenacious and effective in negotiating visitation and preserving parental rights. We help same-sex couples resolve and secure the fair distribution of assets, and we can help develop marital settlement, prenuptial and postnuptial agreements. We are experienced in reaching fair agreements and distributions of marital or separate property, interests in family businesses, privately held companies, partnerships, stock options and other executive compensation arrangements, professional practices, unique investment vehicles and collectibles. Where applicable, we help secure spousal support, and we secure binding agreement on debt division.

We also work with LGBTQ couples growing their families through adoption or surrogacy.

Maryland

In Maryland, same-sex marriage is legal, so as you prepare for your perfect day, there are things you and your future spouse can do to plan for the best life together.

Changing Your Name

You may have discussed about whether one or both of you will change your names after the wedding. Remember that you will need to provide name change information for both formal and informal contacts. Many banks and government organizations require a certified copy of your marriage license before making changes. You can make copies of the marriage license for most name changes, such as frequent flier miles memberships and other personal accounts. You may also want to send a wedding announcement so that acquaintances are aware of any name changes.

Prenuptial Agreements

Prenuptial Agreements do not sound very romantic. In reality, marriage has a business component many people do not consider when planning a wedding. Most people do not know that from the date of your marriage, your earnings are marital property and that joint debts you incur to acquire marital property are also the responsibility of your spouse. As a result, couples with a large disparity of income and assets may wish to consider a prenuptial agreement. Many prenuptial agreements include an expiration date, such voiding the prenuptial agreement after ten years, which protects both spouses.

Estate Planning

A thoughtful estate plan is important for all families – not just families with a lot of money. None of us like to think about the inevitable, but estate planning will save a lot of money and stress in the long term. Advance health care directive, revocable living trust, and durable power of attorney are three documents that cost very little to set up but save a great deal of money and time if your family suffers a health or other crisis. Also, remember to update your beneficiary information to include your new spouse on all bank accounts, retirement plans, 401K and life insurance policies.

Expecting Children

If you are planning on starting a family, the good news is that you have many options available to you: adoption agencies, surrogates and egg and sperm donors, to name a few. However, as you plan to proceed, make sure that expectations and details are clearly documented. Be wary of adoption agencies making too many promises or any individual or organization not willing to execute a detailed and binding contract.

While these topics are not the most exciting to discuss, planning ahead, having meaningful conversations and thinking about the realities of a future together will ensure you and your spouse live happily ever after.

If you would like to speak with a Shulman Rogers attorney about LGBTQ Family Law issues in Maryland, DC or Virginia [contact us](#).