POSTNUPTIAL AGREEMENT

This Postnuptial Agreement (this "Agreement") is made between _____, of _____, and _____, of _____ (each a "Spouse" and together the "Spouses"). It takes effect on the date the last Spouse signs it.

NOTICE: BY SIGNING THIS AGREEMENT, EACH SPOUSE MAY BE GIVING UP RIGHTS THE LAW WOULD OTHERWISE GIVE A SPOUSE, INCLUDING SPOUSAL SUPPORT, A SHARE OF PROPERTY ACQUIRED DURING THE MARRIAGE, PROTECTION FROM THE OTHER SPOUSE'S DEBTS, INHERITANCE RIGHTS, RETIREMENT BENEFITS AND THE RIGHT TO ASK FOR ATTORNEY FEES. EACH SPOUSE HAS THE RIGHT TO HAVE A SEPARATE LAWYER REVIEW IT BEFORE SIGNING.

1. BACKGROUND

The Spouses were married on _____ in _____, and they remain married. They make this Agreement because: _____.

Prenuptial agreement (check one): [ ] none; [ ] dated _____, which this Agreement (check one) [ ] amends [ ] replaces [ ] confirms.

Each Spouse intends to continue the marriage. This Agreement is not made in contemplation of divorce or separation.

2. CONSIDERATION

Each Spouse signs this Agreement in exchange for the other Spouse's promises in it and for (check one): [ ] nothing further; [ ] the other Spouse's decision to continue the marriage after a period of difficulty; [ ] this payment or transfer: _____.

3. FINANCIAL DISCLOSURE

Before signing, each Spouse gave the other a full written disclosure of his or her assets, debts and income, attached as Schedule A (first Spouse) and Schedule B (second Spouse). Each Spouse had time to review the other's disclosure and ask questions, and is satisfied with it.

4. SEPARATE PROPERTY AND SHARED PROPERTY

Each Spouse's separate property includes property owned before the marriage, gifts and inheritances received at any time, and the following: first Spouse: _____; second Spouse: _____.

Income earned on separate property (check one): [ ] stays separate; [ ] becomes shared. Separate property does not become shared because it is used for family purposes, as long as it can be traced.

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Property that becomes the separate property of one Spouse: _____. Separate property that becomes shared: _____. Each Spouse will sign any deed or title needed to carry this out.

5. HOME, DEBTS, RETIREMENT AND BUSINESS

The home at _____ is (check one): [ ] shared; [ ] the separate property of _____.

Each Spouse pays the debts in his or her own name. Joint debts are shared (check one): [ ] equally; [ ] in proportion to the benefit each received.

Retirement accounts and pensions (check one): [ ] each Spouse keeps his or her own in full; [ ] the part earned during the marriage is divided under state law. A spouse's federal survivor rights in an employer plan can be waived only on the plan's own consent form, signed before a notary or plan representative; each Spouse will sign that form on request.

Business interest in _____, owned by _____: (check one) [ ] the business and all growth stay the owner's separate property; [ ] growth in value during the marriage is shared.

6. SPOUSAL SUPPORT IF THE MARRIAGE ENDS

(Check one): [ ] each Spouse gives up spousal support; [ ] _____ will pay _____ $_____ per month for _____; [ ] support is left to the court. If a court finds these terms unenforceable, it may award only the support needed to avoid that result.

This Agreement does not decide child support, custody or parenting time.

7. RIGHTS AT DEATH

(Check one): [ ] each Spouse gives up all rights as a surviving spouse in the other's estate, including any elective share, intestate share, homestead and family allowance, but may still receive gifts by will or beneficiary designation; [ ] each Spouse keeps those rights.

8. LEGAL ADVICE, VOLUNTARY SIGNING AND GENERAL TERMS

First Spouse's lawyer: _____ (or "none, by choice"). Second Spouse's lawyer: _____ (or "none, by choice"). Each Spouse signs freely, without pressure or undue influence, and received the final version at least _____ days before signing.

This Agreement is governed by the law of the State of _____. It is the complete agreement between the Spouses on its subject, may be changed only by a signed writing with the same formalities, survives a separation and reconciliation, and binds the Spouses' heirs and personal representatives. If a court finds any part unenforceable, the rest stays in effect.

Note: signing rules differ by state. Some states require a notary, two witnesses or a lawyer for each spouse, and Louisiana requires court approval. Check your state's rules before you sign.

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SIGNATURES

Spouse

Signature: _____ Date: _____

Printed Name: _____

Spouse

Signature: _____ Date: _____

Printed Name: _____

Witness

Signature: _____ Date: _____

Printed Name: _____

Witness

Signature: _____ Date: _____

Printed Name: _____

NOTARY ACKNOWLEDGMENT

State of _____, County of _____. On _____, before me personally appeared _____ and _____, who proved to me through satisfactory evidence of identity to be the persons whose names are signed on this Postnuptial Agreement, and who acknowledged signing it voluntarily.

Notary Public: _____ My commission expires: _____

SCHEDULES A AND B: FINANCIAL DISCLOSURE

Schedule A (first Spouse). Assets and values: _____ _____. Debts and balances: _____. Yearly income: $_____.

Schedule B (second Spouse). Assets and values: _____ _____. Debts and balances: _____. Yearly income: $_____.

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