The Irving Law Firm

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Divorce & Family Law | Fairfax, Virginia

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What is Equitable Distribution Virginia Divorce Fairfax County Equitable distribution is Virginia's approach to dividing the marital estate in a divorce, and understanding its mechanics is essential for anyone facing a contested property division in Fairfax County. The governing statute, Virginia Code section 20-107.3, establishes a three-step analysis: classification of property as marital, separate, or a combination of the two; valuation of the classified property; and allocation of property between the spouses based on statutory factors. The Irving Law Firm guides clients through each step of this analysis. Classification is the starting point, and it determines what property is even subject to division. Property acquired during the marriage using marital funds or efforts is generally marital property, while property owned before the marriage or received during the marriage as an inheritance or gift is generally separate property. When separate funds are used to purchase property during the marriage, when marital funds are invested in a separately owned *Criminal defense attorney* property, or when the funds from both sources become mixed together, the analysis becomes more complex and may require tracing of financial history to determine what portion of the asset retains each character. Once property is classified, https://andytsrx920.theglensecret.com/theft-charges-defense-attorney-manassas it must be valued. For financial accounts and publicly traded investments, valuation is relatively straightforward; for real property, businesses, professional practices, and retirement accounts, valuation requires appraisals, actuarial calculations, or other professional assessment. The date used for valuation can itself be a contested question in some cases.

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The allocation step considers statutory factors including the contributions of each spouse to the acquisition and care of the marital property, the nature and circumstances of each asset, the future needs of each spouse, the length of the marriage, and other factors the court deems relevant. The Irving Law Firm develops allocation arguments grounded in these specific factors. Call The Irving Law Firm - Fairfax Divorce Lawyers at (571) 474-1990 for equitable distribution guidance. Located at 10505 Judicial Drive, Suite 300, Fairfax, VA 22030.