



## **Chicago Divorce Attorney Russell Knight Discusses Constructive Trusts**

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Chicago Divorce attorney Russell Knight recently released a new blog post (<https://rdklegal.com/what-is-a-constructive-trust-in-an-illinois-divorce/>) that talks about Constructive Trust. In the article, the lawyer mentions that Illinois family law uses a lot of buzzwords that regular people may find hard to wrap their heads around.

In the new blog post, Chicago divorce attorney Russell Knight explains that a Constructive Trust is a tool that case law (also known as common law) provides for when an agreement fails or an order is impossible to enforce.

According to the Chicago divorce attorney, ?A Constructive Trust is not an actual trust. A Constructive Trust is a legally enforceable concept that courts are free to employ should they encounter a gross injustice or a legal impossibility.?

Furthermore, the lawyer clarifies that a Constructive Trust can be ordered by the court after a hearing. A Constructive Trust will impose that one party has to act as a trustee so they can manage and distribute assets.

Attorney Russell Knight also mentions that in 90% of Illinois divorce cases, Constructive Trusts will refer to a spouse with unvested stock options that are marital property but are not distributable until they finally vest. For a stock option to vest, it means that the stock option is finally owned and executable by the previous owner of the previously unvested shares, says the divorce attorney.

In the new blog post, the divorce attorney explains that until the date of vesting, the spouse who is earning the stock options is said to be the trustee for his spouse or former spouse's share of those stock options.

The lawyer adds that a Constructive Trust is one of the tools that a Marital Settlement Agreement has to be enforced on by the court. The process of enforcing a Constructive Trust may be fairly easy, however, if one party is not cooperative or if the property is no longer in their possession, things can become complicated.

Lastly, the Chicago divorce attorney explains that it's very important to seek the help of a skilled attorney when it comes to Constructive Trusts. Constructive Trusts can be very complicated and hard to navigate, that is why it's important to have the legal advice of an experienced family law attorney.

#### About The Law Office of Russell Knight

Russell D. Knight, a family lawyer, established the Law Office of Russell D. Knight in 2009. Attorney Russell Knight is a lawyer who has always been focused on divorce and family law. Russell is passionate about family law, as evidenced by numerous articles he has written. Russell is licensed in Florida as both a Florida and Illinois lawyer. Russell has a law practice in both Illinois and Florida and employs a full staff of paralegals, attorneys, and lawyers in Illinois and Naples, Florida. Call them at (773) 334-6311 today.

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### **Law Office of Russell D. Knight**

*The Law Office of Russell D. Knight is a family law and divorce law firm dedicated to guiding clients through their divorces both in and out of the courtroom.*

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