Naples Divorce Lawyer Russell Knight Discusses the Differences Between Illinois and Florida Divorces

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Naples divorce lawyer Russell Knight (https://divorceattorneynaplesfl.com/florida-vs-illinois-divorce-laws/) releases a new article explaining the differences between Florida and Illinois divorces. The lawyer mentions that divorces differ in every state. If a person is under the jurisdiction of a certain state, they may get divorced in that state. It may be possible to get a divorce in any state related to the couple, but that will be subject to the requirements of the state where they want to get divorced.

According to the Naples divorce lawyer, ?To get divorced in Florida, either you or your spouse must be a resident of Florida. To be a resident of Florida, you must reside in Florida for at least six months of the year. If either spouse has spent 183 days of the current year or the past year in Florida, they are a Florida resident for the purposes of divorce. If anyone contests those 183 days, you must prove via calendar that you were in Florida during that time. Honestly, your phone probably can prove exactly where you were if you?re inclined to ask it.?

The lawyer explains that if the couple has not been in Florida for exactly 183 days, the courts will look at their intent and why they want to get divorced in the state. The couple would just need to prove via testimony and exhibits that they are residing in Florida. If any of the couples have a tax filing, home, or car in another state, this could count against their Florida residency.

Attorney Russell Knight adds that when jurisdiction is contested between Illinois and Florida, the two respective Florida and Illinois judges will schedule a ?judicial conference?. The judges will then discuss the practicality of the divorce process in their respective jurisdictions. If the children of the couple have lived in a certain state for more than 6 months, the divorce will be taking place in that state.

In the article, attorney Knight also says that when it comes to the division of assets, Florida law requires that marital assets are divided 50/50. If the assets are not divided equally, the court will have to explain why in

written findings why. On the other hand, in Illinois, assets that are marital are divided ?equitably?. This means that the judge will have the power to divide the assets according to how they see fit, and the judges do not have to explain why.

?The law really isn?t dramatically different between the two states except for Alimony or Spousal Maintenance. Illinois has a set formula to determine the amount and length of spousal maintenance. Florida has no alimony formula for amount or time. This means that in Florida, you are really relying on the quality of your attorney to set your alimony. For most people, if you?re paying alimony, you want to file for divorce in Florida. If you expect to receive spousal maintenance, you?ll want to file for divorce in Illinois,? the lawyer adds on the topic of spousal support.

Lastly, attorney Knight emphasizes the importance of having a skilled lawyer when it comes to matters such as prenuptial agreements. An experienced attorney may be able to help the client understand their rights and ensure that the agreement is enforceable.

About The Law Office of Russell Knight

The Law Office of Russell Knight was established in 2009 by the divorce attorney Russell D. Knight. The lawyer?s love for family law is demonstrated by the numerous articles personally written by the lawyer. Russell is a licensed lawyer throughout Florida and Illinois. The attorney has a legal practice in both states and employs an entire staff of paralegals and attorneys in the two states of Chicago, Illinois, and Naples, Florida. Contact them today at (239) 202-0455.

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Law Office of Russell Knight

The Law Office of Russell Knight is based out of Naples, Florida, and serves all of Southwest Florida?s family law needs. We recognize that divorce and other family law issues are situations that require both professional experience and compassion.

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