

Florida Divorce Lawyer Russell Knight Discusses the Documents Needed to Prepare a Prenuptial Agreement

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Florida divorce attorney Russell Knight (https://divorceattorneynaplesfl.com/what-documents-do-you-need-to-give-your-florida-divorce-lawyer-to-prepare-a-prenuptial-agreement-in-florida/) releases a new article discussing the documents needed to prepare a prenuptial agreement in Naples, Florida. The lawyer mentions that a prenuptial agreement may not always be the most important thing in a person?s mind when they plan to get married, but it is a very important topic to be discussed.

According to the Florida divorce attorney, ?Maybe you or your family has some fears- if the unfortunate event of divorce occurs, will your children from previous partners be protected? Will your family business be decimated? A Florida family law attorney or divorce attorney can help you create the best prenuptial agreement to fit your needs so you can have peace of mind about your upcoming marriage.?

The lawyer explains that anyone is technically able to write a prenup. However, the Florida courts will not

recognize and enforce just any prenuptial agreements. There are certain criteria to be met. It is very important to make sure that the prenup that is drafted before the marriage is enforceable.

Attorney Russell Knight mentions that prenuptial agreements in the state of Florida are governed by state law. Chapter 61 of the Florida Statutes governs divorce proceedings, including how prenuptial agreements are enforced after divorce. There are three conditions in the statute in which a prenuptial agreement will not be enforceable. These conditions are (1) the party did not execute the agreement voluntarily; (2) the agreement was a product of fraud, duress, coercion, or overreaching; (3) the agreement was not unconscionable when it was executed.

In the article, attorney Knight also mentions that the first step to creating a Florida prenuptial agreement is to determine the individual?s goal. It is important to discuss any proposed goals of the agreement with the other party first to ensure that both parties are in agreement. This will help ensure that the other party is entering the agreement willingly.

?The closer to the wedding date the prenuptial agreement is signed, the more likely a judge will say that it was signed under ?duress.? Conversely, the more time between the execution of the agreement and marriage, the more likely it will be upheld by the court. We recommend executing the prenuptial agreement at least one month before the wedding and at a bare minimum, for two weeks,? says the divorce attorney.

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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