

Sasso Guerrero & Henderlite Addresses Complex Pension and Benefits Division in Military Divorce Cases

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Sasso Guerrero & Henderlite, a Jacksonville-based family law firm, is highlighting the intricate financial considerations that distinguish military divorces from civilian proceedings, particularly regarding the division of retirement benefits and service-related entitlements. The firm emphasizes that service members and their spouses face unique challenges when navigating the intersection of federal military regulations and Florida state family law.

Military divorces involve substantially different financial frameworks than civilian cases, primarily due to the complex nature of military retirement systems and the federal laws governing their division. The Uniformed Services Former Spouses' Protection Act (USFSPA) establishes specific parameters for how military retirement pay can be divided in divorce proceedings, creating a regulatory landscape that requires specialized knowledge to navigate effectively.

The division of military pensions represents one of the most significant financial considerations in these

cases. Unlike civilian retirement accounts, military retirement pay involves calculations based on years of service, rank at retirement, and the specific retirement system under which the service member enlisted. These factors create complexity that extends beyond typical asset division in civilian divorces.

"Military families need to understand that their retirement benefits are governed by both federal statutes and state law, creating a dual framework that affects everything from the timing of benefit distribution to the calculation of division percentages," stated Jay Henderlite, managing partner at Sasso Guerrero & Henderlite. "The interplay between these legal systems means that standard divorce approaches often fall short in addressing the unique circumstances military families face."

Beyond retirement pay, military divorces involve considerations regarding survivor benefit plans, which provide continued income to former spouses after the service member's death. These plans require elections to be made during the divorce process and carry significant long-term financial implications for both parties. Healthcare benefits through TRICARE also present unique challenges, as eligibility rules for former spouses depend on specific criteria including length of marriage, length of military service, and the overlap between these periods.

The firm notes that military families stationed at installations throughout Northeast Florida, including NAS Jacksonville and Naval Station Mayport, often require military divorce guidance that accounts for the portable nature of military benefits and the potential impact of future deployments or reassignments on financial arrangements. These considerations extend to disability benefits, combat-related special compensation, and other service-connected payments that may or may not be subject to division under federal law.

Thrift Savings Plan accounts, military housing allowances, and commissary privileges represent additional financial elements that require careful consideration during military divorce proceedings. Each benefit type operates under distinct rules regarding divisibility and post-divorce access, necessitating comprehensive understanding of both the benefits themselves and the legal frameworks governing their treatment in divorce.

Sasso Guerrero & Henderlite serves military families throughout Northeast Florida, including Clay County, Duval County, Nassau County, and St. Johns County. The firm maintains three Board Certified Marital & Family Law Experts as managing partners, providing comprehensive family law services including adoption, child custody, collaborative divorce, and prenuptial agreements, alongside criminal law representation.

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Sasso Guerrero & Henderlite

Sasso Guerrero & Henderlite is a Jacksonville law firm representing clients in divorce, family law, and domestic violence cases. With three Board-Certified partners, the firm handles custody, support, alimony, and property division with dedication.

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