

## **Changes to Spousal Support Award Procedures in the State of Nevada**

### **The Problem**

The Busick Group asserts there is a chronic problem with how temporary and permanent spousal support awards are calculated and awarded throughout the nation. In Nevada, spousal support awards are subjectively calculated at the sole discretion of the presiding judge.

Over the past years, thousands of people have been emotionally and financially devastated by spousal support awards that fail to consider the true costs both parties incur when they opt to divorce. Historically, one party is left responsible for supporting the other in addition to providing for themselves and their children.

It is our understanding Nevadans seek relief and want to enact a better means for calculating temporary and permanent spousal support awards. Additionally, they desire a forum where either party may appeal decisions made pertaining to spousal support.

### **The Busick Group's Solution**

The Busick Group met with Nevada State Senator Maurice Washington to offer support of bill draft request 215 - a bill seeking to make changes in how temporary and permanent spousal support awards are calculated and to establish a spousal support award review panel. Senator Washington invited us to participate and we are working with the legislative bill drafter to provide changes to existing Nevada Revised Statutes and to incorporate new language into the final bill language.

In concert with our efforts to help draft the needed legislative changes, we began meeting with public and private agencies to gain their ideas, support and participation. We are also working collaboratively with attorneys and private citizens who seek to change and improve the current process for awarding and reviewing temporary and permanent spousal support awards.

We will lobby the bill through the state legislature.

### **The Benefits of Change**

Nevadans need a better system for determining and awarding both temporary and permanent spousal support awards. No party should be left financially devastated by an award.

Changing the laws to ensure judges issuing spousal support awards use a defined set of criteria for calculating both temporary and permanent awards is a start to fixing a national problem. While the judge retains discretionary power for the award, how they calculate the award would become more clearly defined.

In the case where one party disagrees with a spousal support award, he or she would be provided an opportunity to seek judicial review of the award. The proposed panel may choose to uphold the award or recommend a new award. The bill seeks to make available a forum for appealing both temporary and permanent discretionary financial awards.