

# **Types of Spousal Maintenance**

## **Introduction**

If one spouse pays the other spouse money on an ongoing basis after a divorce, this is called "maintenance." It used to be called "spousal support" or "alimony." The purpose of maintenance is to help the receiving spouse support themselves after the divorce so they can keep living the same way they did during the marriage. If the spouses can't agree on a dollar amount of how much maintenance should be paid or for how long, a judge will decide.

## **Temporary Maintenance**

Divorce cases can go on for a long time, so one spouse can get maintenance while the case goes on. This is called "temporary" maintenance.

## **Limited-Term Maintenance**

One type of maintenance is called 'limited-term' maintenance. With limited-term maintenance, one spouse makes payments to the other spouse for a fixed period of time, which can be months or years. Once the end date occurs, the paying spouse does not have to continue making payments unless the receiving spouse files a motion before the end date to ask that maintenance be continued. Limited-term maintenance can help a spouse return to school for further education or to make up for the efforts that one spouse made during the marriage to improve the other spouse's earning ability (such as working to help your spouse get through medical school).

## **Indefinite Maintenance**

Another type of maintenance is called 'indefinite' maintenance. Indefinite means that there is no end date. One spouse continues paying support to the other spouse until the receiving spouse remarries or dies. Of course, either spouse can always return to court to ask that the amount of maintenance be changed or that maintenance be ended. In long marriages, where the spouses' incomes are very different, maintenance can be ordered to equalize the parties' incomes.

## Factors to Decide Maintenance

If the spouses can't agree on a dollar amount of how much maintenance should be paid or for how long, a judge will decide. There are many factors that a judge can consider in deciding whether maintenance should be ordered. These same factors also impact the judge's decision about how long maintenance will be paid and how much will be paid. See our article [Spousal Maintenance](#) for more details.

The factors are found in Wisconsin Statutes § 767.56, but the ones often considered are the educational background, work history, age and health of the spouses, the contributions that each spouse made during the marriage, and most importantly, whether there is sufficient income so that the maintenance payments are reasonable for both spouses.

Maintenance is a complicated issue, involving both the facts of your case, and the financial circumstances of both spouses, so consulting with an attorney may be very helpful.

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