Why you should hire an Attorney to draft a prenuptial agreement

August 24, 2016

Why you should hire an Attorney to Draft a Prenuptial Agreement

Contrary to popular culture a prenuptial agreement is not just for the wealthy wanting to protect their assets. A prenup agreement, or premarital agreement, is particularly helpful for a couple planning to marry where one or both partners has substantial income or assets to protect property from being divided as a marital asset in the unfortunate event of a divorce. This, however, is not the only circumstance in which a prenuptial agreement can be helpful.

In recent years there has been an increase in situations where one or both partners entering into a marriage have substantial debt from either student loans or credit cards. In the event of a divorce the courts do not just consider diving assets but also divide debt and assign responsibility for payment of debt. To help protect yourself from being responsible from your partners debt load consider having an attorney draft a prenuptial agreement.

A prenuptial agreement can also be useful for estate planning purposes. If you have inherited family heirlooms or gifts that you would like to see given to certain loved ones or friends a prenuptial agreement can help ensure that your estate planning is carried out in the way that you would envision instead of divided as assets in a divorce.

Lastly, a prenup agreement is not the only way to protect yourself and your assets. If you are already married an Attorney can draft a postnuptial agreement, or if you are unsatisfied or want to amend your current premarital agreement, we can review your agreement and work to draft an amendment to the agreement.

At Cohen Cleary, P.C. we have extensive experience representing clients in Massachusetts who want a prenuptial agreement. We will advocate on your behalf in the drafting of a prenuptial agreement, postnuptial agreement, or amendment to a current agreement to ensure that you are protected in the event of a divorce. Please contact our office to discuss your case by calling (508) 880-6677 .

Authored by Kellie Sanders, Esq

©2026 Cohen Cleary. All Rights Reserved