Alimony

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Overview

Most people entering a divorce carry outdated assumptions about alimony. They believe support is automatic, that it lasts indefinitely, or that the tax treatment they heard about years ago still applies. None of that is accurate under current Massachusetts law. The Alimony Reform Act of 2011 fundamentally changed how courts calculate, limit, and terminate spousal support, and the Supreme Judicial Court's 2022 decision in Cavanagh v. Cavanagh added a structured analytical framework that judges now follow in every case. The outcome of an alimony claim, for the spouse seeking support or the spouse defending against it, depends on how well your attorney understands the current statutory and case law landscape, not the assumptions you bring into the process. An experienced alimony lawyer can identify the factors that will actually drive the court's analysis and build a case around them from the start.

How We Help With Alimony

Cohen Cleary represents both recipients and payors in alimony proceedings across the Massachusetts Probate and Family Courts. Our approach begins with the framework the courts themselves apply: the three-step analysis established in Cavanagh v. Cavanagh. First, we evaluate and present evidence of the recipient's financial need. Second, we assess the payor's ability to pay, recognizing that alimony in Massachusetts is capped at the payor's gross income. Third, we apply the statutory factors, including the length of the marriage, each spouse's age and health, income and employment history, and contributions to the marriage, to determine the appropriate amount and duration.

Massachusetts law recognizes four types of alimony, each serving a different purpose. General term alimony provides ongoing support and is the most common form in longer marriages. Rehabilitative alimony supports a spouse who needs time to gain employment skills or education. Reimbursement alimony compensates a spouse who supported the other through education or career advancement. Transitional alimony assists with the adjustment to a new living situation following divorce.

We present each case with the financial analysis and evidentiary foundation courts require, rather than relying on general arguments about fairness.

Why Clients Choose Cohen Cleary

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

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Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

Regional Knowledge and Local Presence

With offices throughout Massachusetts and experience across New England courts and agencies, we bring local insight and regional reach to every matter.

Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our family law work, this approach helps clients navigate alimony disputes with clarity, efficiency, and confidence.

Our Approach to Alimony

We tell our clients that alimony is one of the most fact-sensitive issues in any divorce. Two marriages of similar length can produce very different support outcomes depending on income disparity, health, employability, and the standard of living during the marriage. Our preparation focuses on building a detailed financial picture that supports the client's position under the statutory factors, not simply asserting that the result should be "fair." That means documenting income sources, lifestyle expenses, and each spouse's earning capacity with the specificity that Probate and Family Court judges expect. That level of preparation is what separates a persuasive presentation from a generic request.

Handling Alimony Matters Throughout Massachusetts and Rhode Island

Cohen Cleary handles alimony matters throughout Massachusetts and Rhode Island from offices in Taunton and Plymouth. As a Taunton alimony lawyer and Plymouth alimony attorney with regional reach, our family law team regularly appears in Probate and Family Courts across southeastern Massachusetts, including:

- Bristol County Probate and Family Court (Taunton)
- Plymouth County Probate and Family Court (Plymouth and Brockton)
- Norfolk County Probate and Family Court (Canton)

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- Suffolk County Probate and Family Court (Boston)

This consistent presence gives our attorneys practical familiarity with local procedural expectations, scheduling patterns, and case management practices that affect how alimony cases move through the system.

Contact Cohen Cleary For Alimony Guidance

If you are facing an alimony dispute in Massachusetts, contact Cohen Cleary to schedule a consultation. We represent both payors and recipients, and our spousal support lawyers will assess your financial position, explain how current law applies to your circumstances, and develop a strategy designed to protect your interests.

Frequently Asked Questions About Alimony

How does Massachusetts calculate alimony?

Alimony calculation in Massachusetts follows the three-step Cavanagh framework: determine the recipient's need, assess the payor's ability to pay, and then apply the statutory factors to set the amount and duration. Alimony generally cannot exceed the recipient's need or the payor's ability to pay, and the amount is subject to an income cap based on the payor's gross income. Use our calculators to estimate alimony obligations under Massachusetts law.

How long does alimony last in Massachusetts?

The Alimony Reform Act of 2011 established durational limits tied to the length of the marriage. For marriages of five years or less, general term alimony may not exceed 50% of the number of months of the marriage. That percentage increases with longer marriages: 60% for marriages of 10 years or less, 70% for marriages of 15 years or less, and 80% for marriages of 20 years or less. Marriages exceeding 20 years may result in indefinite alimony, but even those orders are subject to modification.

Is alimony still tax-deductible?

No. For divorce agreements executed after December 31, 2018, alimony payments are no longer deductible by the payor and are not counted as taxable income for the recipient. This change in federal tax law significantly affects how support amounts are negotiated and structured.

Can alimony be terminated if my ex-spouse begins living with someone?

Massachusetts law provides that general term alimony is suspended, reduced, or terminated if the recipient maintains a common household with another person for at least three months. Proving cohabitation requires specific evidence, and the process involves filing a complaint for modification with the court.

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