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UNIVERSITY OF KENTUCKY—COLLEGE OF AGRICULTURE

A Guide to the Legal and Financial Implications of Marriage—and Remarriage—in Kentucky

Look before You Leap

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Introduction

Ignorance is not necessarily bliss—particularly if you are getting married or remarried and are dealing with legal matters and personal decisions. Because marriage is a legal contract, certain aspects are regulated by law.

The information in this booklet is based on Kentucky law. The material presents options and guidelines for making personal decisions. However, this information in no way substitutes for legal services and advice.

This publication is designed as a checklist to help you make legal and financial decisions before and during your marriage. Technical and legal terms are in bold letters, defined on first mention and indexed on p. 23.

Making Sure You're Eligible

Kentucky recognizes marriage as a relation of one man and one woman united in law by an authorized person. First, you need to know that you are legally able to marry. To be certain, check these provisions based on the Kentucky Revised Statues.

- Age. If competent—mentally able and capable—anyone may marry at age 18 or older. For those ages 16 and 17, a license may be issued by the written, notarized consent of a parent, guardian, or custodian. Consent forms are available in the county clerk's office.
- If either the male or female is under age 16, the District Judge must give permission to marry. The application, if approved, is granted in the form of a written court order, at the discretion of the judge. There is a fee for hearing each application.
- Relationship. In Kentucky, persons closer in relationship than second cousins many not marry each other.
- Out of state/non-resident. If a Kentucky resident who is prohibited from marrying in this state goes into another state or country, marries, then returns to live in Kentucky, the marriage is valid for all purposes in Kentucky, unless the marriage is against Kentucky public policy. (For example, same sex marriages are against Kentucky public policy.)

Setting the Date

Tax implications

Marriage changes your options for filing income tax forms. As a married person, you must either file a joint return with your spouse or file using the "married filing separately" status. You can no longer file a single return (see also *Social Security and IRS,* p. 10). This is true of the entire calendar year in which you are married—even if you marry on the last day of the year.

Marriage can create either a tax benefit or a tax burden, depending on a couple's circumstances. The federal income tax is a graduated tax—the percent of tax owed increases as income increases. Different cutoffs apply to the various brackets, depending on filing status. Check with an accountant to see how your tax status may be affected by marriage.

The sale of real estate carries capital gains tax implications. You may exclude $250,000 of capital gains from the sale of your home if you owned the house and it has been your principle residence for at least two of the preceding consecutive five years ending with the date of sale. In addition, during the two-year period ending on the date of the sale, neither you nor your spouse may exclude gain from the sale of another home. This means that, if you qualify, you will not have to pay tax on the gain up to $250,000.

You may exclude up to $500,000 of the gain on the sale of your principle residence if you are married and file a joint return for the year, either you or your spouse meets the ownership test, both of you meet the use test, and during the two-year period ending on the date of the sale neither you nor your spouse excluded gain from the sale of another home. Thus, a couple in which both individuals own a home may be well advised to consider any tax implications and decide whether they should sell their homes before or after the wedding date.

Wedding Insurance

Most services you'll engage, such as hotels and caterers, usually require non-refundable deposits. If the wedding may be cancelled or postponed—because, for example, a close family member becomes ill or you break a leg—you may be tempted to consider buying wedding insurance. Be aware that only a few companies offer this type of insurance. It is often limited to covering only non-refundable expenses due to unlikely misfortunes and will not pay if the bride or groom fails to show up because of "cold feet."

Read the fine print on all policies to be sure you're getting the coverage you expect. Check to see if you may already be insured by the wedding or reception site's liability policy—for possible loss—or a homeowners' policy owned by whoever is paying the bills.

Think about other valuables, such as wedding rings, you'll need to protect. Contact your homeowners' or renters' insurance company well in advance of your wedding date to ensure coverage. Some companies let you change your policy as early as 30 days before the wedding. Marital status may alter your insurance premiums or make you eligible for health insurance maternity benefits (see *Insurance*, p. 17).

Getting Married

Wedding Budget

Today, more couples are older when they marry or remarry, and they often pay for their own weddings. A formal wedding can escalate to tens of thousands of dollars, so it is important to set up and follow a budget to prevent starting your marriage in debt. You can stay within your budget and still have the wedding you both desire.

Preparation

Ask friends for recommendations. Shop around for value and services. Ask for policies, get references, and compare prices. Look at portfolios, merchandise, brochures, and atmosphere. Make no assumptions; ask questions. Check that items, services, and accommodations are available for the dates, times, and places you have planned.

Contracts protect both you and the service provider. Read them carefully, and include in writing any requests you have.

Verify:

- ❑ Dates and times
- ❑ Details about items, services, and accommodations
- ❑ Delivery time schedule
- ❑ Name of person responsible
- ❑ Last date to make changes
- ❑ Cancellation policy
- ❑ Back-up service
- ❑ Payment amounts
- ❑ Payment schedule

Marriage License

Getting married requires a license. Here's what you need to do to obtain it:

- **Application**. Both applicants must apply together in person at the county clerk's office. The application includes the scheduled date of the marriage, name of each applicant, whether they were related, and each applicant's birth date and place, race, current residence, and parents' names. Also, information regarding the current marital status (single, widowed, divorced), number of previous marriages, occupation, and the Social Security number for each party is required.

  Note: Although a blood test is not required, if you do not know your HIV status, consider anonymous or confidential testing (see *Resources*, p. 22).
- **Identification**. Each person must present the county clerk documented proof of identification. Forms of identification accepted are a driver's license, birth certificate, person identification card, social security card, or passport. (For a fee you can obtain a certified copy of your birth certificate. If you were born in Kentucky, contact the Kentucky Office of Vital Statistics, 275 East Main Street, Frankfort, KY 40621.)

Wedding Expenses Worksheet

To set up a budget, use the list below. Check the items you will pay for, and fill in the amounts you expect to spend on each item.

Plan for	**$ Estimated cost**
☐ Announcements, including postage	________________
☐ Marriage license	________________
Ceremony Fees	
☐ Person Officiating	________________
☐ Musician(s)	________________
☐ Marital property agreement	________________
☐ Insurance-Homeowner or renter	________________
☐ Parties and reception food	________________
☐ Rehearsal dinner	________________
☐ Groom's party	________________
☐ Reception	________________
☐ Reception music	________________
☐ Space rental	________________
☐ Equipment rental	________________
☐ Lodging	________________
☐ Travel	________________
☐ Local transportation	________________
☐ Gratuities	________________
Gifts	
☐ Wedding Party	________________
☐ Soloist/Musician(s)	________________
Ring	
☐ Groom	________________
☐ Bride	________________
Attire	
☐ Groom	________________
☐ Bride	________________
☐ Wedding party, attendants	________________
☐ Flowers	________________
☐ Photography	________________
☐ Videography	________________
☐ Honeymoon	________________
☐ Thank you notes, including postage	________________
☐ Web page for RSVPs	________________
☐ ________________________	________________
☐ ________________________	________________
☐ ________________________	________________

You may also want to make a list of after-wedding expenses, such as moving, leases and security deposits, or selling a house.

- **Residence**. Kentucky residents who are younger than age 18 must apply in the county where the bride resides.
- **Out-of-state/non-resident**. If you will marry in another state, apply in the county where the marriage will take place. Marriage of a Kentucky resident in another state is null and void if such marriage would be prohibited in Kentucky. Marriage in Kentucky of non-residents who are prohibited from marrying in the state of their residence is also considered null and void in Kentucky (see *Residence*, above, and *Out-of-State,* p. 4).
- **Oath**. Applicants in Kentucky do not take an oath when applying for a marriage license. However, the marriage license application contains a statement that the marriage will be lawful and the information given in the application is correct. There is a penalty for providing false information.
- **Fee**. The fee for a marriage license is the same in every Kentucky county. Most county require payment in cash and consider the fee non-refundable.
- **Waiting Period**. In Kentucky, there is no waiting period for obtaining a marriage license. The ceremony may take place anytime after the license has been obtained.
- **Expiration**. A marriage license is valid for 30 days from the date issued. The marriage ceremony must be performed with 30 days, or the license expires.

Marriage Ceremony

You can be as creative as you want in personalizing your marriage ceremony. But this is what the law requires:

- **An Official**. The following persons may solemnize a marriage in Kentucky: (a) Ministers of the gospel or priests of any denominations in regular communion with any religious society: (b) Justices and judges of Court of Justice, retired justices and judges of the Court of Justice except those removed for cause or convicted of a felony, county judges/executive, and such justices of the peace and fiscal court commissioners as the Governor or the county judge/executive authorizes; or (c) A religious society that has no officiating minister or priest and whose usage is to solemnize marriage at the usual place of worship and by consent given in the presence of the society, if either party belongs to the society. Realize that your chosen official may have requirements for the marriage ceremony. You can ask the county clerk for names of civil officials available to perform the marriage ceremony.
- **Two Witnesses**. Two competent adult witnesses 18 years or older are required, neither being the person officiating nor the bride or groom. They do not have to be in the wedding party.
- **A marriage document** to be delivered and filed. The person solemnizing the marriage or the clerk of the religious society before which it was solemnized must return the license to the county clerk of the county in which the license was issued within one (1) month. Along with the license, it must include a certificate of the marriage over his or her signature, giving the date and place of celebration and the names of at least two (2) of the persons present.

Changing Your Name

Deciding Whether to Change

Most women assume their husband's surname—family name—when they marry, though no law requires them to do so. Rather, in our culture, a strong tradition has developed in which the husband's surname becomes the surname for the wife and children.

From the mid-1800s through the early 1900s a number of women followed the lead of suffragist Lucy Stone, who retained her birth name when she married Harry Blackwell. The "Lucy Stone League" encouraged women to choose their own surnames. But traditional ways had a strong hold, and for most of the 20th century it has been unusual for a woman to use a surname different from that of her current husband.

In the late 1960s and early 1970s—when feminist ideas again came to the forefront in our culture—a new generation of women began to assert their right to choose their own names. Today, couples have many options to contemplate, all acceptable under Kentucky law. Couples may—and have—done all of the following:

- Wife takes husband's name and husband takes wife's name
- Wife hyphenates her name and her husband's name; husband does not change his name
- Both spouses hyphenate their last names
- Both spouses use a new name with special meaning for them, perhaps combining their two names
- Wife uses her birth name as her middle name and takes husband's last name
- Both spouses use the wife's birth name as middle name and husband's last name

You may think of other choices as well.

Many factors may influence your decision about the name(s) you and your spouse will use. Considerations many people feel important include:

- The name by which you are known in the community and how important it is to you to maintain a consistent identity and reputation—the importance of name recognition to you
- Your profession and whether you would need to or want to change professional licenses, diplomas, and other credentials to reflect a name change
- Your assessment of the amount of bureaucratic hassle you would endure in changing all of your identification and documents as opposed to explaining to people why your name is not what they think it is or should be
- The importance to you and your spouse of having all members of your new family known by the same name
- The importance to you and your spouse of maintaining and continuing your birth family's surname
- Aesthetic considerations, including the length and ethnicity of each of your surnames and how you feel about how they sound together
- Whether you and your spouse agree about your choices

If you have children, how will you name them?

- A hyphenated name?
- Dad's name?
- Mom's name?
- First child with one parent's name and second child with the other?
- A different name completely?

Parents can do—and have done—all of these.

In Kentucky, any person at least eighteen (18) years of age may have his or her name changed by the District Court of the county in which he or she resides. Once you have legally changed your name, notify all your creditors. In marriage, you may be comfortable being known socially by one name—probably a spouse's name—but conducting business in another.

If you decide to change your name, change all of your identification and documents at the same time. Otherwise, you may find yourself showing identification to cash a check when the name on the check doesn't match the name on your driver's license or photo ID. Your checking account, payroll records, Social Security card, passport, and driver's license or Kentucky ID should all be consistent (see *Updating the Records*, p. 9).

A woman who assumes her husband's surname is legally known by her first name and her husband's last name. Her legal signature is "Sue Jones," not "Mrs. John Jones." Traditionally, the woman's birth surname becomes her middle name. But many women retain their middle name and simply drop their birth surname. This is a matter of personal choice. Be consistent, always signing your name the same way. For legal purposes, it really does not matter what name your magazine subscriptions come in or whether your children's teachers call their mother "Mrs. Jones" or "Mrs. Smith."

If you plan to change your name, it is easiest to do so at the same time as you marry. In this culture, simply showing your marriage license is generally all you need to do to change your identifying documents. If you are doing something very nontraditional or if your name change is not a result of marriage or divorce, you may have your name changed by going to the district court in the county in Kentucky where you reside.

If you choose a non-traditional name option, be sure to review wills, deeds, and other legal documents carefully. It usually makes sense to clarify the marital relationship in such documents. To avoid confusion, state that you are married and identify your spouse by name in your will. Also, be sure your income tax preparer, health and life insurance companies, and other such service providers know your marital status.

You cannot change a child's name simply by changing the parent's name. Children from a prior marriage will retain their birth names unless they go through a name change procedure. This procedure usually requires both parents' consent if the children are minors (less than age 18).

Updating the Records

If you change your name, you will need to change some of your records, giving your married status, new name, and new address. Be sure to change the following:

Driver's License or Photo ID

Before you can change your name of your Kentucky driver's license, you must first change it with the Social Security Office. If either of you changes your name or address, notify the Kentucky Department of Motor Vehicles located in the Circuit Court Clerk's Office in your county within 10 days. People who do not drive can obtain a Kentucky identification card. To change your name, you must apply in person at the Circuit Court Clerk's Office for a duplicate license or Kentucky ID. At the same time, you can complete a change of address form.

Motor Vehicle Registration

The Kentucky Division of Motor Vehicles requests that you notify it of any change of name and/or address. To change your name on your motor vehicle title in Kentucky, you must first obtain a new driver's license. If your vehicle has a lien on it, clear the name change with the lender. Take your marriage license, your vehicle title and your corrected driver's license to the Circuit Court Clerk's Office in the county where you reside. You must submit your car title to Kentucky Division of Motor Vehicles through the county clerk's office as soon as possible if you are changing your name. The Kentucky Division of Motor Vehicles will issue you a new title with your new name and address. To change your address only, send a letter to the circuit court clerk's office (see county clerk under county government listings in your phone book). If there is a lien on the vehicle, the lender needs to be consulted to change your name on the lien.

If each spouse owns a vehicle, either one can register the car in one or both names—as long as its title is held the same way. Title determines property management and control rights. These rights become important if you want to sell or give away an asset such as a car (see *Clarifying Property Ownership*, p. 11).

Note: Changing the title to non-marital property may be construed as making a gift of that property (see *Gifts of Marital Property*, p. 13).

Passport and Visa

All citizens need to travel under their legal names. Any travel outside of the United States requires a passport for re-entry. Some countries require a visa issued by their country for entry. Check with the US Department of State for information on visa requirements.

If you need a passport for your honeymoon, you will need one in your married name. If you already have a valid passport, you will need to apply for a replacement passport. If you do not have one, you will need to apply for a new one. Fees and application procedures vary based on whether you have a valid passport or are applying for a new one and if you need a fast turnaround of your passport application.

When applying for a passport or a replacement passport you will need:

- The appropriate application form (DS-11 Passport Application, DS-5504 Passport Reapplication, and/or DS-82 Passport Application by Mail)
- Acceptable evidence of name change, such as marriage license, divorce judgment, adoption decree, or court order of name change
- Two recent passport photos
- The appropriate filing fee
- A certified copy of your birth certificate if this is your first passport application (For a fee, if you were born in Kentucky, you can get a certified copy of your birth certificate from the Kentucky Office of Vital Statistics, 275 East Main Street, Frankfort, Kentucky 40621).

Normal processing time for a passport is six to eight weeks. However, there are ways to obtain one faster. You may pay for "Expedited Service" or go to one of the 14 passport agencies across the United States. To locate a passport agency, call 1-877-487-2778.

In Kentucky, passport and visa application forms are available either at the circuit court clerk's office or at the US Post Office. Each county is different. Call the circuit court clerk's office first to know where to obtain the application in your county. For a visa, some countries require a divorce certificate if you have been married before. Take a notarized copy of your divorce judgment or certificate with you when you travel.

Credit Cards

If you own credit card accounts separately before marriage, you may wish to combine accounts after marriage. Credit card companies allow two people to share an account number with cards showing separate names. Credit cards are easier to identify if you hold them in each spouse's name—John Jones and Sue Jones (or Sue Smith if she kept her birth name)—not Mr. John Jones and Mrs. John Jones. It is good for a person to also have at least one credit card in his or her name only (for example, Sue Jones only or John Jones only). In the event that person becomes widowed or divorced, he or she has established his or her own credit record apart from the spouse. Regardless of how many cards you have or whose name appears on them, the records of a joint credit card account will appear on each of your credit reports at the credit bureau (see *Credit and Debt*, p. 12).

Bank Accounts and Loans

Under the Equal Credit Opportunity Act, all new joint accounts and loans must be recorded in both spouses' names for credit purposes. This allows each spouse to establish a credit rating in his or her own name (see *Credit and Debt*, p. 12).

Safe Deposit Box

Safe deposit boxes in financial institutions provide secure storage for valuables and important papers that would be hard to replace. You may lease a box in one person's name or in the names of two or more persons as co-lessees. In that case either one has access to the box while both are living. If the person leasing the safe deposit box dies, the District Court will issue an order permitting the personal representative of the estate to open the safe deposit box to retrieve any original will or trust document.

Insurance

Notify your insurance companies well in advance of your marriage date. Some insurers allow you to change your policy as early as 30 days before the wedding. Getting married may reduce your car insurance premiums (see *Motor Vehicle Insurance*, p. 19). You may be eligible for health insurance maternity benefits from your health insurance provider.

Make sure you give your new address, marital status, and/or name to each of these insurers:

- Automobile or other vehicle
- Dental
- Disability or income continuation
- Health
- Homeowner or renters' and liability
- Life
- Property

Note: If you do not name your spouse as beneficiary on your life insurance, ask your spouse to sign a written consent to ensure that the insurance will go to the beneficiary you have named (see *Life Insurance,* p. 19).

Pension and Retirement Plans

Notify your employer's benefits office regarding changes in your dependents. You may be required to obtain your spouse's consent if you elect pension benefit payment options that provide payment to a surviving spouse after your death.

Social Security and IRS

If you change your name, notify the Social Security Administration by filing Form SS-5. You can obtain a copy at your local Social Security Office, or call (800) 772–1213; or you can print it from the internet at www.ssa.gov/online/ss-5.pdf.

You will need to present identification showing your old and new names—certified copies or original documents only. In about two weeks, you will receive a new Social Security card with your original tax number and new name.

Your tax refund could be delayed if you file your return with a name that does not match the one on your Social Security card. The Internal Revenue Service (IRS) freezes refunds on returns with names and Social Security numbers that do not match, and it may take three months or more to straighten things out.

You do not need to notify the IRS; they are cross-referenced with Social Security. But, to find out whether a name change is holding up your refund, you can call the IRS:

IRS Hotline
1-800-829-1954 (refunds)
1-800-829-4059 (TDD)

Other IRS hotlines can be found at http://www.irs.gov/businesses/small/article/0,,id=161104,00.html

Selective Service

Federal law requires men ages 18–35 to notify the Selective Service Board of any change of address and marital status. If you have prior service, you can update your records when you normally do, usually once a year.

Voter Registration

To vote in the next election, remember to register under your new name—if you changed your name and address. In Kentucky, you must have completed a voter registration card and be registered at least 28 days prior to an election. You may register through the following sources: county clerk's office; driver's license office—if you applying for or renewing your driver's license; AFDC, Food Stamp, Medicaid, WIC and state funded offices serving those with disabilities, if you are a client of these public assistance offices; Armed Forces Recruitment offices, if you are a prospective member or the armed forces; high school students may register at school; or Kentucky mail-in voter registration form. For details on voter registration, contact your county circuit clerk's office.

Clarifying Property Ownership

Every couple needs to plan carefully for property ownership and transfer of property when they marry. Kentucky has a "deferred marital property scheme," in which marital property exists only if the parties decide to end their marriage by divorce. Prior to that time there is no such thing as "marital property". During the marriage and while both parties are living, Kentucky has a system of separate property rights. This means that each spouse owns his/her property but has no present interest in the property of the spouse arising solely by virtue of the marriage.

If one of the spouses dies, Kentucky law gives important rights to the surviving spouse. Among these rights are: the right to a statutorily fixed share of the deceased spouse's property, and rights in the administration of the spouse's estate.

In Kentucky, each spouse may have separate ownership of property. It is also legal in Kentucky for a married couple to have joint ownership of property. Joint property may be held as joint ownership with right of survivorship or as co-ownership as tenants in common. If the title does not state "with right of survivorship," the joint property may be considered owned as tenants in common.

If the property is real property, the deed determines the way in which the property is owned. There are three possibilities.

- First, the parties may own the property as **tenants in common (TNC).** For example, when Alice and Ted are tenants in common they each own an undivided interest in the property. If Alice dies, her share will pass to the persons named in her will or by intestate distribution, but Ted will keep his own share. If Ted dies first, the same is true in reverse. A creditor would be able to attach Ted's share if Ted owed a debt.
- Second, the parties may own property as **joint tenants with right of survivorship (JTWROS).** Joint tenants with right of survivorship each own an undivided equal interest in the entire property. The main difference is that a joint tenancy arises at death. For example, if Alice and Ted are joint tenants with right of survivorship and Alice dies, Ted automatically owns Alice's share of the property because of the joint tenant with the right of survivorship clause in the title to the property. For this reason, many people use a joint tenant with right of survivorship to avoid probate of this property.

Personal property may also be owned jointly, but we generally don't have a "title" to a lamp, a dining table, etc. In the case of bank accounts, however, there is a Kentucky statue that dictates ownership. If the account is a "joint account," then each party owns the account in proportion to the percentage designated by the co-owners when the account is opened. The account may be held jointly with right of survivorship or jointly as tenants- in-common.

When a husband and wife acquire property during their marriage, if they later divorce, the property is considered to be marital property. In other words, the divorce court would allocate the property to the spouses as it sees fit. This becomes important if the marriage is terminated.

In Kentucky, property considered to be individual property within a marriage includes:

- Property received by gift or inheritance
- Property brought into the marriage
- Property designated as individual through a pre-nuptial or post-nuptial agreement

Mixing Marital and Non-marital Property

Keep careful property records, or property that has both marital and non-marital parts is likely to become classified as marital. Also, it is important to keep records to trace non-marital property that is sold and reinvested. Non-marital property includes:

- Individual property—property brought to the marriage
- Gifts or inheritances you receive
- Property made individual through a pre-nuptial agreement

Survivorship Marital Property

If the property is titled jointly **"with right of survivorship,"** upon the death of one spouse the property automatically passes to the surviving spouse as non-probate property. Property titled "with right of survivorship" passes to the survivor under the terms of the title, account designation, or deed. The surviving spouse then owns the entire asset. Survivorship marital property cannot be controlled by a will.

Credit and Debt

Credit depends solely on your financial abilities and payment record. These factors establish a credit history necessary to acquire credit. Establishing your own credit history may help you acquire credit following the death of a spouse, a separation, or a divorce.

Under the federal **Equal Credit Opportunity Act**, all new joint accounts and loans must be recorded in both spouses' names for credit purposes. Each of you can get credit in your name without the other's signature—if you are credit worthy.

Under Kentucky law, just as spouses may own property individually, they are not automatically responsible for the other spouse's debts. However, a creditor may be able to force the sale of jointly owned property to satisfy one spouse's debt. The most important aspect of the separate property system is that creditors of one spouse are not automatically entitled to seek compensation from the property of the other spouse.

However, if there is a consensual agreement between the spouse and the creditor, then the spouse's property is at risk. For example, if Ted and Alice are married and Ted contracts with Big Bank to obtain a loan for his company, Alice will not automatically be liable on the loan, unless Alice guarantees the loan or otherwise agrees to be liable for it. If Alice agrees that she will be liable for Ted's debt to Big Bank, then Big Bank may attach her property to satisfy the debt. Of course, banks know this rule and for that reason a bank like Big Bank probably will not loan Ted a significant amount of money unless it gets Alice's signature. Alice would need to know that when she signed on Ted's loan, the bank would NOT be limited to taking Ted's property to satisfy the loan. Her property would also be at risk.

Kentucky law recognizes the **"doctrine of necessities."** The rule of necessities requires either spouse to pay for the other's "necessities." If the spouse who receives the necessity from a third party cannot or does not pay, then the other spouse is responsible for paying the debt. The law's definition of necessity is a very narrow one. Generally, it involves food, clothing, shelter, medical treatment, and funeral expenses. Also, the law generally says that the character of a necessity depends on the parties' lifestyle. This means that a wealthy but frugal man might not have to provide a fur coat for his wife if the family has lived a simple lifestyle.

Another instance where spouses may be liable for the other spouse's debts involves jointly owned property. If the parties own the property jointly, a creditor may be able to attach that jointly owned property. Because Kentucky treats property rights differently in divorce cases, the non-debtor spouse might lose this protection in a divorce.

Employment Benefits

Pension and Retirement Plans

Before marrying, check with the benefits officer where you work about your retirement program. Ask whether your new spouse will receive benefits at your death. If your marriage requires you to relocate and change places of employment, does your pension plan require you to work a certain length of time before you have the right to take your pension fund with you?

Be sure your employer knows whom you want as a beneficiary of your pension or annuity plan. Federal law governing many private employers' pension plans (**ERISA, Employee Retirement Income Security Act)** restricts how an employee disposes of pension and death benefits. So, the beneficiary named in the plan may not be able to collect all the proceeds. Check options carefully before changing any part of your retirement program.

Federal law (**ERISA, Employee Retirement Income Security Act)** provides rights that supersede state property law for deferred employment benefit plans covered by these laws. So language in a marital agreement may not be sufficient to protect pension benefits, and other documentation may be necessary.

If an employee pension plan begins before the marriage date and continues after, it is prorated into a marital property part and non-marital property part according to special classification rules. For example, if Sue worked 10 years before the marriage, married in 1987, worked 10 years after the marriage, then retired, one-half of her retirement plan would be non-marital and one-half would be marital. John would have one-half interest in one-half of the plan—one-fourth of the benefits.

Note: Retirement benefits are subject to the **terminable interest rule**—a non-employee spouse's marital property share of a deferred employment benefit terminates if she or he dies before the employed spouse. In the case above, this means that if John dies before Sue, he cannot will away the marital property interest he would have had in Sue's deferred employment benefit plans. This ensures that Sue receives income from those pensions or annuities when she retires.

Life Insurance

Life insurance is important to provide money for your family to cover death expenses, debts, living expenses for a surviving spouse and children, and education costs for minor children. If you have existing life insurance policies when you marry, you need to look at the designated beneficiary. You may want to change the beneficiary and contingent beneficiaries to reflect your new marital situation. Work with your financial planner to obtain the type and coverage of life insurance that will meet your needs. For more information, contact your county Extension office and ask for *Life Insurance: The Impact of Ownership* (FAM-RHF.106a).

Gifts of Marital Property

In Kentucky, either spouse may make a gift of his/her property to a third party as long as the donor spouse does not make the gift to defraud the other spouse of any survivor rights.

Spouses may give gifts of any size to each other without limit. Keep in mind that spousal gifts during life or transfers at death between spouses are free from federal and Kentucky gift and estate taxes. Those gifts may be subject to estate tax when the second spouse dies.

Wills and Trusts

Any mentally competent person 18 years of age or older may make a will in Kentucky. A **will** is a written document that specifies how you wish to have **property** distributed at your death, and designates a personal representative to follow through on your wishes. A gift of personal property made in a will is called a **bequest. A gift of real property is a devise.**

Wills

Why should each newlywed have a will? The most basic reason is that it lets each of you determine how your property will be distributed at your death. Keep in mind that Kentucky intestate law provides that a surviving spouse is entitled to $15,000 plus 50 percent of the remainder of the real and personal property if the surviving spouse does not hold title to the property.

Young families can use a will to **nominate** a guardian for minor children and someone to manage the estate they leave those children. You can also establish a trust in your will for the benefit of children (see *Trusts*, p. 15).

If you have adult children from a prior relationship, you may find they regard your new spouse as a threat to their inheritance. Many couples faced with this situation choose to sign a pre- or post-marital property agreement that defines what the new spouse is entitled to and what is being protected for the children. This can improve relations between stepchildren and stepparents. A joint will can also be used to address this concern.

If you have a pre-or post-marital property agreement, be sure that your will or trust is consistent with that agreement. If your marital property agreement and will or trust contradict each other, your beneficiaries may face years of court battles trying to determine your intent.

Keep in mind that your will only covers property subject to probate. Your **probate estate** is the real and personal property you own alone or as a tenant in common when you die. You may will to whomever you wish the following classes of property (**probate assets only**): your personal property, real property, or miscellaneous property.

If you and your spouse leave the bulk of your estate to each other, include a simultaneous death **clause** in your wills. This indicates how property should be divided in case you both die at once or within a short time of each other.

When a married person dies without a **legally effective will**, under Kentucky law, the surviving spouse is entitled to $15,000 personal property set aside. In addition, the surviving spouse receives one-half share of the estate under a statutory spousal interest. The Kentucky law of **intestate succession** provides for the other one-half of the person's probate property to pass to the children or their surviving decedents to be divided equally. If there is a surviving spouse and no children, then the other one-half of the estate goes to the deceased person's parents. If the parents are deceased it goes in equal shares to brothers and sisters or their surviving heirs.

If you die and leave behind minor children, the district court has final say in appointment of a guardian for these minor children. A valid will is the only place to nominate someone to be appointed as guardian should that need arise. If you die without a will and leave behind minor children, a court will determine who will be the guardian of those children and who will administer the estate. The same is true if you have a will that does not nominate a guardian for the minor children.

Property such as life insurance, pension death benefits, and joint property with a right of survivorship is distributed to the designated beneficiary whether there is a legally effective will or not. Sometimes this property is referred to as **transferable on death** (TOD) or **payable on death** (POD). The only time a will has any impact on TOD and POD property is when the "estate" is designated as the beneficiary.

How do you make a will? Because a will is so important, it is wise to have a lawyer assist you to be certain the document will hold up in the probate court. For more information on wills and probate in Kentucky, obtain a copy of *Estate Planning: Wills and Probate in Kentucky* (FCS5-425) from your county Extension office.

For some people, estate planning is important because it can help reduce or even eliminate death taxes. Tax planning is important for any estate. The federal government has a dollar amount on estates that determines when federal estate taxes must be paid. If the estate is more than this amount, taxes must be paid to the IRS. The dollar amount changes from year to year. For the current estate value, consult with your attorney or CPA.

The taxable estate includes all assets the deceased spouse owned, including the value of life insurance, retirement assets, death benefits, and interests in joint tenancy. Trust assets may be treated as property for estate tax purposes if the deceased person retained a beneficial interest in the trust or if it was a revocable trust. One spouse can transfer an unlimited amount to another spouse, either inter vivos or by will without any gift tax or estate tax liability. This is known as the marital deduction and is very important in estate planning for married couples.

People marrying for the second or subsequent time may have larger estates than young couples just starting out. They are also likely to have more competing obligations—children from prior relationships, elderly parents who need assistance, or business partners—that can make their estate planning more complex. An attorney experienced in estate planning can offer a number of useful options to ensure that the special challenges for remarrying couples are met in a fair and practical way.

The laws governing wills vary by state. If you plan to move to another state, be sure you understand the interpretation of your will under the laws in that state.

Trusts

A **trust** can serve the same purpose as a will. A trust is a form of ownership in which the property title is held by a **trustee** who has the duty to administer the trust of the benefit of the people named as beneficiaries of the trust. A **trust** is an arrangement initiated during your lifetime to transfer property to a trustee to manage and distribute the income as you direct for your benefit or the benefit of your designated beneficiaries. This agreement protects assets for minors or inexperienced beneficiaries, provides flexibility, and ensures privacy.

There are two basic kinds of trusts:

- **Irrevocable trusts**, which cannot be changed or terminated, though they can be worded to change the trustee. They can save death and income taxes, protect assets for your heir(s), and possibly qualify you sooner for **medical assistance—**the Kentucky form of **Medicaid**, for people of any age who cannot afford health care.
- **Revocable trusts,** which can be modified or terminated at a later date. They reserve the chance for you to change your mind or adapt to new developments as they occur. Revocable trusts may save probate costs—especially on the transfer of real estate in other states—but they will not save taxes.

When you create a trust, define **incapacity—**when you want the successor-trustee to take over. If you have a trust, you still should have a will to ensure that any assets you failed to add to the trust are distributed according to your wishes. This will is sometimes referred to as a pour over will. A trust only covers property titled into the trust. It is possible, but not practical, to place all your property in a trust. Pour over will provisions go to the trust only after probate of the estate assets.

A **testamentary trust** is a trust you create in your will. Testamentary trusts preserve and manage assets for minors or others to whom you do not wish to make outright bequests of large sums of money. Generally, these trusts continue for a period of years and ultimately **terminate** with disposition of all remaining assets to a named beneficiary; however, Kentucky law limits the term or period that assets may be held in a trust under certain circumstances.

Sometimes testamentary trusts are used to give a life interest in certain property to a surviving spouse. At that spouse's death, the assets then go to designated remainder beneficiaries.

Most consultants advise against using prepared forms for these complex documents. Heavily promoted commercial trust "kits" are often not appropriate for Kentucky and may cost more than advertised.

Wills and trusts also require time and attention to detail, so it is a good idea to seek professional help to plan and set them up. Review and update your estate plan as your family and economic situations change.

For more information on trusts, ask your county Extension office for *Estate Planning: Trusts* (FCS5-426).

Organizing Your Family Records

Record-keeping is important for most families. Some records need to be retained only for a short time; others should be kept indefinitely. Store your records in a safe, fireproof place such as a safe-deposit box or a fireproof vault, and have a list readily available at home (see *Where to Keep Records and Papers*, p. 20).

Household Inventory

Keep a record of household furniture, furnishings and equipment, purchase date, cost, title, and ownership. This record serves as a basis for:

- Determining the amount of insurance protection needed
- Filing claims in case of loss by fire, theft, or storm
- Making replacement or purchase plans
- Tracing ownership classification—which indicates whether the property is individual or joint

After making this list, keep it in a safe, fireproof place, and bring it up to date once or twice a year. Consider taking photographs of items or videotaping your home furnishings. Many video production companies offer this service, or camera or video shops may rent camcorders for your use. Update photo or video records frequently, and keep a copy in a safe deposit box.

If you want to classify your property as other than marital property, you need specific records. Begin keeping track to establish ownership as the date of your marriage. Include:

- Date of acquisition
- Title
- Value
- Source of funds—Individual or unclassified
- Documents that trace assets through sales and new purchases

The marital property law tracing rule helps classify ownership of property when it is mixed, exchanged, or sold and the proceeds used to buy other property. Newly purchased property will keep the same classification as the original property—if it can be traced.

Marital property agreements can also be used to classify property ownership. They are often more convenient and certain than relying on tracing ownership through existing documents, and can reduce your need for record-keeping.

Advance Directives for Health Care

Spouses may wish to discuss what decisions should be made about his or her health care and by whom if he or she becomes unable to do so. Kentucky has a Living Will Directive Act that applies to advance directives for health care. A living will directive made in Kentucky should be substantially in the form found in KRS 311.625. It is wise to consult an attorney to have the forms completed in a manner that will be acceptable in court.

Power of Attorney for Health Care, Living Will Directive, and HIPAA Authorization

Kentucky has no next-of-kin law designating a family member to act in your behalf if you are incapacitated. If you do not have an advance directive for health care, the court will appoint a guardian who will make health care decisions for you if you become incapacitated. The court appointed guardian must act only in your "best interests" as defined by the court. That may not be what you would have wanted. Further, guardianship proceedings are time-consuming and expensive.

Under Kentucky law, you may designate someone to make health care decisions when you are unable to do so. You can give power of attorney for health care to another person, known legally as your **health care surrogate.** In addition, you should consider signing an Authorization for Release of Protected Health Information under the Health Insurance Portability and Accountability Act (HIPAA). This authorization may be required by health care providers under the Federal HIPAA Act in order for your health care surrogate to obtain medical records and billing information on your behalf.

A living will directive made in Kentucky should be substantially in the form found in KRS 311.625. It is wise to consult an attorney to have the forms completed in a manner that will be acceptable in court.

Discuss your wishes in detail with the person you choose. Appoint as your health care surrogate:

- Someone you trust, such as a friend or family member
- An assertive, intelligent person who will carry out your wishes
- Someone who lives in the same geographic area

A health care surrogate may authorize the withdrawal or withholding of medication and medical procedures, except for alleviation of pain, as well as artificially provided nutrition and hydration.

Durable Power of Attorney

You also need a durable power of attorney. If you become incapacitated and are unable to handle property and financial matters yourself, it is important to have someone who can act on your behalf to manage property, pay bills, collect and manage your income, file tax returns, and take care of other financial affairs.

There is a great deal of variety in the complexity and completeness of this kind of power of attorney. An incorrectly drafted power of attorney for finances may prevent your **designated agent** from carrying out certain actions on your behalf—or, conversely, may give your agent too much power. To protect your interest, consult an attorney who practices or concentrates in estate planning before signing a power of attorney for finances.

Give careful thought to choosing the person who will act on your behalf. Choose someone who is trustworthy and knowledgeable about financial affairs.

Most married people choose their spouse to act as their agent, but this is certainly not required. Also designate a successor, in case your first choice is not able to assist you when you need his or her services.

Financial Records

Checking and Savings Accounts

If you wish to open joint checking and savings accounts, be aware of other types of accounts. The way you sign the signature card at the financial institution determines whether you have a single or joint checking or savings account, or give someone power of attorney to act on your behalf. Thus, the **signature card** determines who can manage and control the account. If the checking account card has the word "joint" on it, and John and Sue both sign the card, then either may write checks. There are two-party accounts for which both must sign checks, but this type of account is generally not used by husband and wife.

If you wish to have an **automatic right of survivorship** for your funds when the first spouse dies, use the joint with survivorship bank account. Since 1982, when interspousal transfers became tax free, most institutions transfer the account to the surviving spouse and will allow spouses to withdraw all the funds from a joint account at the first spouse's death.

Safe Deposit Box

Safe deposit boxes in financial institutions are for keeping important papers and other valuables. You may lease the boxes from a financial institution in one person's name, or in the names of two or more persons as co-lessees—either one has access to box while all are living.

Safe deposit boxes in Kentucky are not considered multi-party accounts. However, access to the safe deposit box is limited to the name or names on the safe deposit box lease. At death, the box may be sealed by the bank upon notice of the death of the owner. Upon the request of interested parties, the bank may open the box for a will search and inventory. Check with the financial institution regarding their policies.

US Savings Bonds and Investments

If you own US savings bonds, you may want to have these payable to your spouse or other person or entity. There are three forms of registration: in one name, in one name payable on death to one other designated individual, and in the names of two individuals as co-owners. If a savings bond is registered in one person's name and that person dies, it becomes a part of the estate. When a bond is registered as John's or Sue's with survivorship, either may cash it. If John dies, Sue is the absolute owner and can receive the proceeds upon presenting the bond for payment.

Wills and Trusts

Keep signed original documents in a safe, fireproof place, and let family members know where that is. People often choose a safe deposit box. As you revise or create new documents, dispose of the old versions to avoid confusion.

An attorney cannot keep a signed will without the client's direction.

Insurance

The following information is not intended to promote buying insurance. This is a personal decision. This information is intended only to help you make such decisions. You may not be able to afford all the insurance you feel you need, so find out what insurance is available to you and how much it costs. Then, this overview may help you set your priorities.

Disability or Income Continuation Insurance

Statistically, it is more likely that you will be incapacitated for an extended period during your lifetime than that you will die suddenly. So it is important to plan ahead for the risk of disability, just as a good estate plan includes planning for unexpected death.

An important part of planning for disability involves providing for income continuation support for you and your dependents if you are unable to work for an extended period. Insurance designed to cover this need is called "disability insurance" or "income continuation insurance."

It is also important to designate decision makers to handle financial matters and health care planning for you if you are unable to make these decisions yourself. You can do so by completing advance directives forms (see *Advance Directive for Health Care,* p. 16).

Health Insurance

Before you marry, contact the person in fringe benefits where you work (or worked, if retired) to arrange for health insurance for your spouse.

If each of you has health insurance, investigate the benefits to each to decide which policy to continue. Find out the deadlines for adding a family member to an already existing policy, and whether physicals are required. You may need to act promptly after your wedding. You will also want to clarify whether there is a waiting period for receiving benefits. This can be especially important if you are pregnant or planning a pregnancy, or if you need treatment for a pre-existing condition.

If you are self-employed and not covered by a group health policy, look into non-group health insurance, or a group policy via an association.

Start a medical history of your new family. Include:

- **Allergies** or allergic reaction to any medication or food
- **Illnesses:**
    - » Chronic and serious, past and present
    - » Close family; for example, cancer, diabetes, heart disease, or hemophilia
- **Immunization** and inoculation records
- **Medication** you take regularly, including prescription, herbal, and over-the-counter
- **Surgeries**, past; include dental
- **Physician's** and **dentist's** names and addresses, for each family member

Homeowner or Renter's and Liability Insurance

Many couples marry without household insurance. If they have been living at home, they have relied on parents for this coverage. Combining two people's possessions may result in more property under one roof. You may want to add extra coverage for items not normally covered by household insurance—computers, jewelry, or sterling silver—for your own losses. **Liability insurance** covers your obligations to reimburse other people for losses they suffer, such as from a hazard or accident you may cause or that occurs on your property.

Marriage is the time to obtain a policy if you choose to protect yourself from loss in case of fire, wind and water damage, theft, and liability. You can get a policy to cover wedding presents. But by obtaining a homeowner or renter's policy before your wedding date, you may have overall coverage.

In the beginning, your possessions may be low in value. But it is suggested that your initial policy be written for about $50,000 of personal property coverage and personal liability coverage of $300,000. Cost will depend on location, type of building, and value of furnishings you select. You can save money by having a policy with $250 or more deductible. Most homeowners also carry an umbrella liability insurance policy of at least $1,000,000.

If you are buying your own home, you may have a **homeowner policy** that includes your house, contents, and liability. Consult an insurance agent, who will be happy to advise you.

If you are **renting**, the best all-around protection is a tenants' policy that takes care of your belongings and liability. Check to see that the policy includes fire, lightning, water damage, theft, liability coverage, and additional living expenses—both at and away from home.

Be sure to know what your policy covers and what it does not cover. In particular, check to see whether the policy covers the current value of items lost, or their replacement costs. **Current value** covers what you paid for the item minus depreciation. **Replacement costs** cover the cost to replace each item at the time of the loss.

Earth Quake Insurance

Kentucky residents should consider purchasing earth quake insurance for their homes. According to the Insurance Information Institute, the New Madrid Fault, which runs through Arkansas, Kentucky, Missouri, and Tennessee, presents a 40–63 percent chance that this region will suffer an earthquake with a 6.0 or greater magnitude. The largest earthquake in the continental United States was in 1811 along the New Madrid Fault in Missouri, where a three-month long series of quakes in 1811–1812 included three quakes larger than a magnitude of 8. The New Madrid earthquake in December 1811 rang church bells in Boston, Massachusetts, 1,000 miles away.

Homeowners' insurance does not automatically include the costs of losses and damage caused by an earthquake. Insurance companies offering homeowners insurance in Kentucky are required to offer an earthquake endorsement for a standard homeowner policy. Earthquake insurance covers major losses and is sold with deductibles as a percent of the house structure policy limit. For more detailed information, ask your county Extension office for Extension publication, *What You Need to Know about Earthquake Insurance* (FAM-RHF.109).

Life Insurance

Need for life insurance will vary as change comes with age and financial responsibilities such as employment, children, and home ownership.

If you have life insurance policies, you may want to change the beneficiary and add contingent beneficiaries to reflect your new marital situation. You may want to consider transferring the life insurance policies to an Irrevocable Life Insurance Trust if your estate, including the value of your life insurance, approaches the gross dollar amount where the federal estate tax becomes effective.

Discuss your immediate and future needs with your insurance agent. Consider why you are buying life insurance. Does a parent, child or other family member depend on you for support? Will your spouse be self-supporting? Do you have any large, outstanding debts, including a mortgage? Will your spouse need your earning to pay any debts, such as funeral costs, estate taxes, and educational expenses for children? For further information ask your county Extension office for *Life Insurance: The Impact of Ownership* (Fact Sheet FAM-RHF.106a).

Motor Vehicle Insurance

If you owe money on your car, your creditor will probably require you to carry collision insurance. You will also need liability insurance.

The minimum limits for an automobile policy written in Kentucky, are $25,000/$50,000/$10,000. This provides up to $25,000 for bodily injury liability for each person in an accident, $50,000 total coverage for each accident, and $10,000 property damage liability. This amount is low if you have any substantial assets.

Consider purchasing higher coverage to compensate for higher financial losses in case of serious accident, injury, or property damage. Insurance companies offer umbrella liability coverage to provide added expenses for these damages. It provides protection above and beyond the limits on homeowners and auto insurance policies. Umbrella liability policies can add an additional one to five million in liability protection without a large additional cost.

Policies require that all drivers in the household be declared on a policy.

Be sure to change your declarations on your vehicle(s) as of your wedding date. Motor vehicle insurance may be held separately or jointly. Many companies offer auto insurance on a multi-car policy that covers all vehicles in a household whether owned and registered jointly or separately. See your insurance agent about making necessary changes, because there may be advantages to combining auto coverage into one policy. Multi-car insurance usually results in lower premiums.

These insurance premiums may decrease after you get married. Some companies will adjust the premium as of your wedding date, and the savings will be reflected on your next premium payment.

What information will you need to adjust the insurance policy?

- Your present policy or policy number
- Your name and driver's; license number as they appear on your driver's license
- Social Security number
- Date of birth
- Occupation
- Use of vehicle and number of miles driven to work
- Percent of mileage you each drive each vehicle
- Age and type of vehicles: models, horsepower, serial numbers
- Driving history including any accidents or traffic violations for each person for the last three years
- Vehicle ownership—joint or individual

Where to Keep Records and Papers

The worksheet on the following page will help you keep track of your important papers. Check the boxes that apply to you.

Key

- **Temporary file.** Current transactions and records for the year, including bills and receipts
- **Permanent file.** Records seldom used but necessary to establish insurance, ownership, estate settlement, financial and legal matters
- **Power of Attorney for health care, living will.** File copies with your health care provider and your health care agent
- **Contracts, receipts, and receipted bills.** Keep for six years after paid
- **Identification.** Carry with you your name, address, whom to notify, special health information, doctor and hospital, advance directive wallet card
- **Motor vehicle registration.** Keep in the vehicle
- **Wills and powers of attorney documents.** May be held at the county register in probate office for a small fee.

Record Locations Worksheet

Item	Safe Deposit Box	Temporary File	Permanent File	In Your Wallet
Account Books		X	X	
Adoption papers	X			
Advance directives				
List of who has copies	X			
Living will (Declaration to Physicians)	X			
Power of Attorney for Finances and Property	X			
Power of Attorney for Health Care	X			
Bank Statements		X		
Cancelled checks				
For year		X	X	
For paying taxes and important purposes				
Certificates				
Birth, tribal enrollment	X			
Death	X			
Citizenship papers	X			
Contracts – Installments	X			
Driver's license or Kentucky ID				X
Employment record			X	
Government Savings Bonds	X			
Guarantees, warranties, instruction books		X	X	
Health records, medical history			X	
Household inventory				
List	X		X	
Photos or video	X		X	
Identification				X
Insurance				
Letter of government compensation for Service-incurred disability	X			
List of policies	X			
Policies		X		
Miscellaneous Documents				
Marital property agreement	X			
Marriage and divorce records	X			
Membership cards				X
Military discharge papers	X			
Mortgages	X			
Notes – Mortgage, treasury, etc.	X			
Passports	X			
Real estate papers, abstracts, deed	X			
Receipts and receipted bills		X	X	
Receipts, periodic – Utilities, telephone		X	X	
Social Security card	X			
Stock verification and investments	X			
Tax returns – income and property			X	
Vehicle registrations				X
Vehicle titles and bills of sale			X	
Wills and trusts				
Signed originals	X			
Unsigned copies			X	

Resources

Advance Directives

Blood Tests. If you do not know your HIV status, you can get referrals for anonymous or confidential HIV testing from a public health nurse (see local government listings in your phone book); or call toll-free, statewide:

Credit and Debt. See UK Extension county office and Web listings on the right.

Driver's license or Kentucky Identification Card (for people who do not drive). The Kentucky Department of Motor Vehicles handles the regulation and distribution of Kentucky ID cards. Kentucky Identification Cards are issued to non-driving residents for identification purposes in lieu of a Kentucky driver's license. All Kentucky Identification Cards are issued in the Circuit Court Clerk's office in the Kentucky County of residence.

Anytime you change a name or address you must get a duplicate license at your circuit court clerk's office within 10 days. Proof of residency in Kentucky is required. Proof of a name change is required (birth certificate, name change court order, marriage license, divorce decree, or other legal document).

Insurance. Information on insurance matters in Kentucky can be obtained from the Kentucky Office of Insurance, 215 W. Main St., Frankfort, KY, (800) 595-6053.

Marriage License. Information about securing a marriage license, eligibility requirements, fees, and method of payment is available from the county clerk. (See local government listings in your phone book.)

Property Titles. Information about how to change name(s) on titles of property you own is available from your county or city records office. (See local government listings in your phone book.)

University of Kentucky Cooperative Extension County Office (listed under county government in your phone book). Provides educational information and programs on managing your money, buying and maintaining a home, parenting, saving and investing, estate planning, and more. These and other publications are available from your county Extension office or on the College of Agriculture web site www.ca.uky.edu/agc/pubs/pubs.htm.

General Money Management

FCS5-101 *How to Make Your Money Go Further*

FCS5-102 *How to Keep Money In Your Pocket*

FCS5-103 *How to Manage Credit*

FCS5-104 *How to Get Out of Debt*

FCS5-105 *Questions and Answers about Credit and Debt*

FCS5-106 *Family Communications about Money*

FCS5-107 *How Others Can Help You Get out of Debt*

FCS5-430 *The Wildcat Way to Wellness: Give Yourself a Financial Checkup*

FCS5-331 *Finding Ways to Live on a Reduced Income*

Estate Planning in Kentucky Publications:

FCS5-420 *Estate Planning: Getting Started*

FCS5-421 *Estate Planning: Objectives*

FCS5-422 *Estate Planning: Your Records and Personal Information*

FCS5-423 *Estate Planning: Selecting Your Tea*

FCS5-424 *Estate Planning: Financial Planner*

FCS5-425 *Estate Planning: Wills and Probate in Kentucky*

FCS5-426 *Estate Planning: Trusts*

FCS5-427 *Estate Planning: Federal and State Estate Taxes*

FCS5-428 *Estate Planning: A Glossary of Term*

FCS5-436 *After Death: How to Settle an Estate*

Vehicle. Motor Vehicle title changes and fees: Make the title change at your county clerk's office. Take along documentation to prove the name change.

Voter Registration. You can register to vote at the county clerk's office. (See local government listings in your phone book).

Web sites. If you do not have Internet access, try your local library. Many libraries have computers linked to the World Wide Web.

www.ca.uky.edu/fcs University of Kentucky, Family and Consumer Sciences Web page.

Information about legal and financial aspects of marriage is available from many sources, a few of which are listed in this guide. Information is provided as a convenience to readers. This is not an endorsement by University of Kentucky Cooperative Extension, nor does it cover all issues.

Adapted with permission for use in Kentucky by authors: Suzanne B. Badenhop, Professor and Extension Specialist, College of Agriculture; Louise Everett Graham, Wendell Ford, Professor of Law, College of Law; and Richard C. Ausness, Ashland Professor of Law, College of Law, from University of Wisconsin-Extension Cooperative Extension publication B2707 “Look before you leap: a guide to the legal and financial implications of marriage. . . and remarriage in Wisconsin.”

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