Divorce: Codifications and Facts

1. 2017 Tax Cuts and Jobs Act (TCJA): Alimony tax
2. Former Spouses' Protection Act: Number of years in service – number of years married x 50%= benefit
3. 65 Formula, Alimony formula: age + number of years you have been married. Guideline: A common factor in determining eligibility for indefinite spousal support is if the sum of the supported spouse's age and the length of the marriage (in years) is 65 or more.
4. Medicare for one person making a low salary is $218.00/$2,616.00
5. A divorced spouse can keep TRICARE for life under the 20/20/20 rule: the marriage and the service member's service both lasted at least 20 years
6. Social Security is based on the number of years you have been legally married and is independent of state divorce laws. Divorced people can collect Social Security benefits based on their ex-spouse's earnings
7. Employer-sponsored retirement plans require Qualified Domestic Relations Orders (QDROs) to divide benefits without triggering early withdrawal penalties
8. Divorce automatically revokes powers of attorney granted to former spouses in Virginia
9. It's important to note that adultery and misconduct are **not** factors considered when determining eligibility for spousal maintenance
10. SBP, military survivor benefits, allows election of coverage for former spouses, even after divorce, costs and benefits under this option are identical to those for spouse coverage.
11. Irrevocable Trusts: Unlike revocable trusts, irrevocable trusts are generally not affected by divorce. If you established an irrevocable trust for the benefit of your spouse during the marriage, the terms will likely remain in place unless there is a specific clause addressing divorce or a legal challenge is made
12. People with divorce agreements dated January 1, 2019, or after don't have to include information about alimony payments on their federal income tax returns since it isn't considered income or a deduction.