

If He Cheats, Should He Pay?

Prenups are all the rage for stars, but what about for you?

I think prenups are brilliant because it's all sorted out," Catherine Zeta-Jones told *Vanity Fair* before signing one with Michael Douglas, which stipulates that her hubby must pay her \$5 million if he cheats, according to the *London Daily Mail*. And Guy Ritchie agreed to sign away his rights to Madonna's fortune (estimated at \$500 million) before they got hitched. But is a prenup right for you? Here, four questions to consider before deciding whether or not to sign on the dotted line.

HOW DO I KNOW IF I NEED A PRENUP?

If you're making more money than he is, you may want to protect yourself in case of divorce. But there are other major reasons to opt for a prenup, points out Arlene G. Dubin, a matrimonial lawyer in New York City and author of *Prenups for Lovers* (Villard):

If you have children from a previous marriage, protect money you saved for them by specifying that your new spouse can't get to it.

If you have a family business or an inheritance that you want to keep as your own, specify that any assets acquired before marriage and the appreciation on them remain yours.

If you have future money sources you want to safeguard—such as a screenplay or a fledgling business—get that in writing too.

WHAT SHOULD I INCLUDE IN MY PRENUP?

You can include any property, from your old car to your family jewels. But it's most important to include major assets acquired



Do all newlyweds—including Guy and Brad—need prenups?

before the marriage, such as real estate, stocks and bonds, trust funds and retirement plans. Dubin warns against including a "bad boy" clause, because cheating is difficult to prove. "However," she adds, "some people put one in their prenup because they believe it will be a deterrent to bad behavior."

WHEN SHOULD WE SIGN IT?

At least 30 days before you walk down the aisle. "You want to get the practicalities out of the way so you can focus on the romance," says Dubin. Don't wait until the rehearsal dinner to sign—it potentially could be nullified if signed under pressure.

DOES A PRENUP MEAN OUR MARRIAGE IS DOOMED TO FAIL?

Not at all. "Prenups can actually prevent divorce," claims Dubin. "They increase your chances of living happily ever after because you've communicated, compromised and dealt with money issues so they don't hang over the marriage and threaten it."

—DINA ROTH



Prenup partners

Q&A

Q: My wealthy fiancé just announced that he wants a prenup. What should I do?

A: First, get yourself your *own* lawyer to look over the agreement. Important questions to ask:
Will you receive a fair share of the money? "A wealthy guy shouldn't leave a woman a pauper if the marriage ends," says Dubin. Contributions such as taking care of the kids or supporting him while he's in school entitle you to some of what he earned during the marriage.
Will you have the means to pay for living and other

basic expenses such as health care? "Sometimes the woman will get the house but won't have any money to pay for its upkeep," notes Dubin.

Are your assets protected? Even if you have just a few bonds from Grandma, make sure they're included.

Will you be responsible for his debts? "He might have millions in debts," warns Dubin. "Make sure you don't acquire the bad stuff instead of the good."
 —D.R.