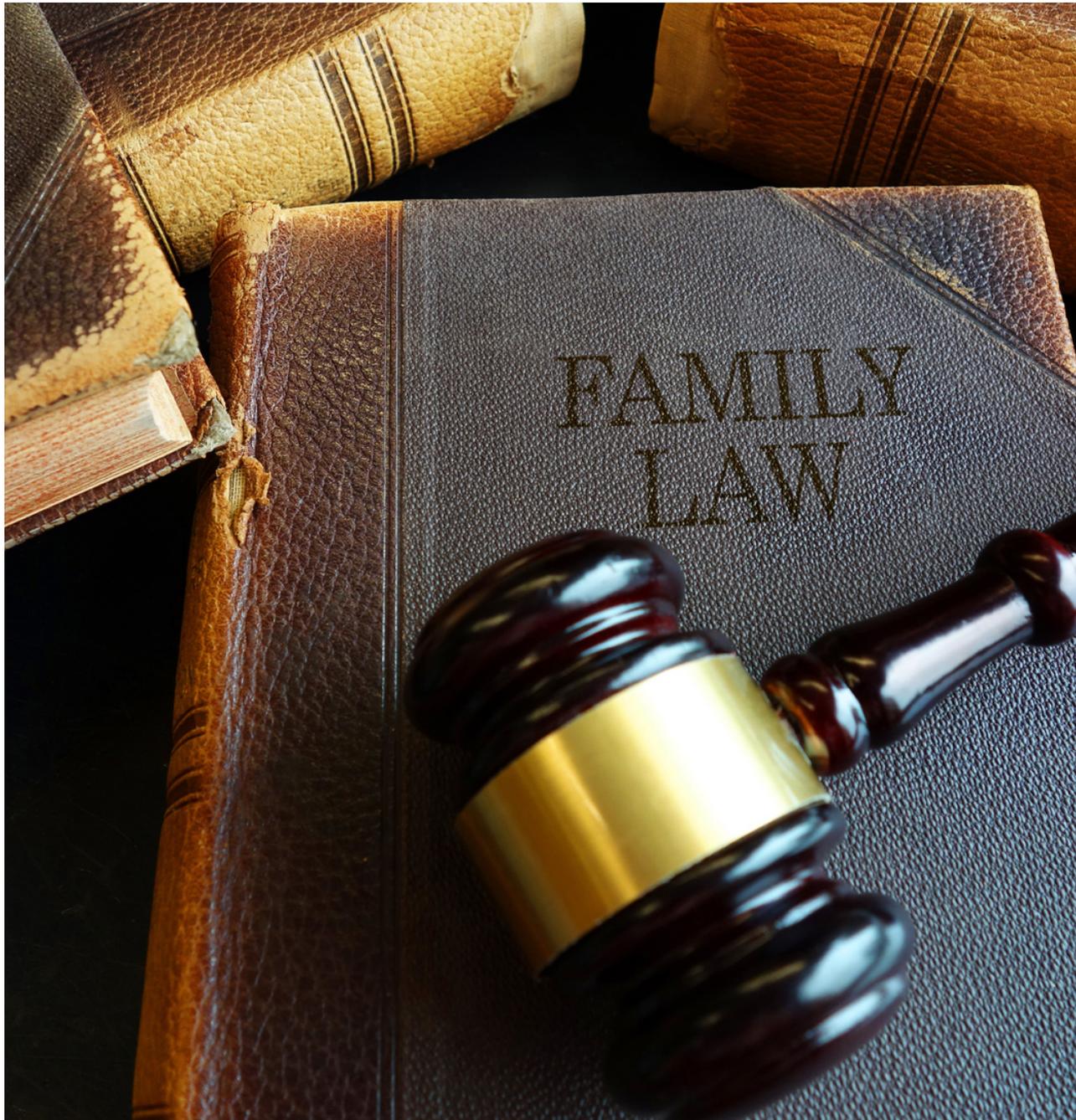


Annutto Law Office

Experience you can trust

FAMILY LAW IN NEW HAMPSHIRE



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FAMILY LAW

Family Law is a practice area that focuses on issues involving family relationships and their many intricacies and stages. From pre-nuptial agreements to post-divorce modifications and parenting plans. Annutto Law Office will be sure to guide you through the many complications that may arise so that you achieve a result that is not only fair but also as amicable as possible.



DIVORCE

Divorce is a difficult and emotional time that involves a great deal of upheaval for everyone. It affects finances, family dynamics, and personal relationships in an untold number of ways. The process may be distressing and overwhelming even when both parties agree to the process. Having a skilled and experienced divorce attorney by your side to manage your divorce will help protect your rights and ensure the process is as smooth as possible.

Getting divorced entails a myriad of decisions, and each one is unique to the family members involved. Issues such as parenting time, property division, and finances can quickly grow contentious and arduous. From filing the appropriate documents, meeting Court deadlines, and understanding ever-changing laws, to the emotional impact and aftermath a divorce can leave in its wake, having an experienced attorney to aid you in navigating all of the decisions you will undoubtedly face is essential.

Divorce is one of the most complicated and emotional events a person may face in their lifetime. It affects finances, family dynamics, and personal relationships in an untold number of ways. Having the skilled and experienced attorneys at Annutto Law Office by your side to help manage the process for you is crucial, not only to protect your rights but most importantly your health through what can be aptly described as one of the most stressful life events a person may have to endure.

The Divorce Process

A divorce will entail a mountain of decisions and each one is unique to the couple involved. Issues such as custody and property division can grow contentious and complicated. Equitable division of property can be difficult to navigate. If a trial is held in the Family Division, a judge will hear both sides and ultimately decide issues including property division, parenting, and alimony. Other decisions may depend on the best needs of the children, the size of the assets, and the individual needs of both parties.

You need an attorney to outline all of the decisions and issues you have recognized and point out those that have been overlooked. Everything from filing the appropriate paperwork, meeting Court deadlines, and understanding the current law are essential parts of the process. An experienced attorney can navigate the legal system and ensure all motions and petitions are handled correctly. A divorce attorney from our firm will also apply to negotiate techniques that can settle issues such as parenting and division of property.

Reaching a Settlement

The methods of reaching a divorce settlement can be varied and can include negotiation, mediation, collaborative law, and litigation.

The most common issues that need to be decided can include:

- Property division
- Spousal support and alimony
- Parenting issues
- Child support
- Retirement accounts and investments

With skilled negotiations, many of the details of a divorce can be worked out quickly and privately. Prenuptial agreements or postnuptial agreements will be reviewed and applied. Negotiations may help couples reach an equitable division of property. Not all property can be split down the middle. If an agreement about the fate of the property, such as a house, cannot be negotiated to an agreement, a judge will listen to both sides and make a decision.

Finalizing the Divorce

The timeline of the entire process can vary depending on the unique situation of each couple. If a couple has few assets to divide, no children, and both want the divorce, it can be few months before finalization. If it is a high net-worth divorce or there are complicated child custody issues, the divorce process can take much longer. For many, mediation and collaborative law can provide speedy results all parties are comfortable with but litigation may be needed for others.

Regardless of the best method and timeline of the divorce process, you need insightful and practical guidance. You also need an attorney by your side who can remain focused on your case and clear-headed about how to proceed. The Law Office of Joseph M. Annutto has the supportive environment and understanding needed to pursue a divorce that addresses your needs and secures your rights. Our firm knows what all may be at stake and will take the time to investigate your situation and fight for the resolution you need. We know no two divorces are alike. This is why you can count on us to provide continuous support. Our firm can give your case the individual attention it requires so you can move forward after a divorce.

High Net Worth Divorce

Any divorce can be distressing and painful to endure. Regardless of the situation, there is a great deal of upheaval and change that follows the dissolution of a marriage. If the split is considered a high net worth divorce, the process can be even more contentious and complicated to navigate. The Law Office of Joseph M. Annutto has skilled and aggressive divorce attorneys who can handle the demands of a high net worth divorce.

Determining the Value of Assets

A divorce is considered high net worth if there is a great deal of wealth and assets involved. The first step to handling a high asset divorce is to determine the value of assets and locate any possible hidden assets. Accounts and property may be unknown to one spouse. A forensic accountant and other professionals may be needed to investigate and evaluate the true worth of assets and property. Disputes over what constitutes marital property may also need to be addressed. Equitable distribution becomes more difficult when there are more assets to take into consideration.

Length of a High-Income Divorce

A high net worth divorce can take longer and entail much more investigation and negotiations compared to the average divorce. It is important to have an attorney who has the resources needed to handle the details of a high net worth divorce and to have an attorney who will give the case the personal attention needed. Business ventures, retirement accounts, investments, and real estate may all need to be negotiated and addressed individually. The resolution of a high net worth divorce may require aggressive negotiations and litigation to protect your rights and your share of marital property. You need an attorney who can tackle the job and dedicate the time and resources to ensuring you get the fair and just settlement you deserve.

Experienced High Net Worth Divorce Attorney

The divorce attorneys at Annutto Law Office can handle the complex high net worth divorce with vigor and determination to get the resolution you need. There is too much at stake to not invest in trusted and experienced representation to help you through this difficult time. We understand the process and how much a less than desirable outcome can impact your lifestyle, finances, and your future. If you are embroiled in a high net worth divorce, let us see what we may be able to do for you.

LIMITED REPRESENTATIVE IN DIVORCE

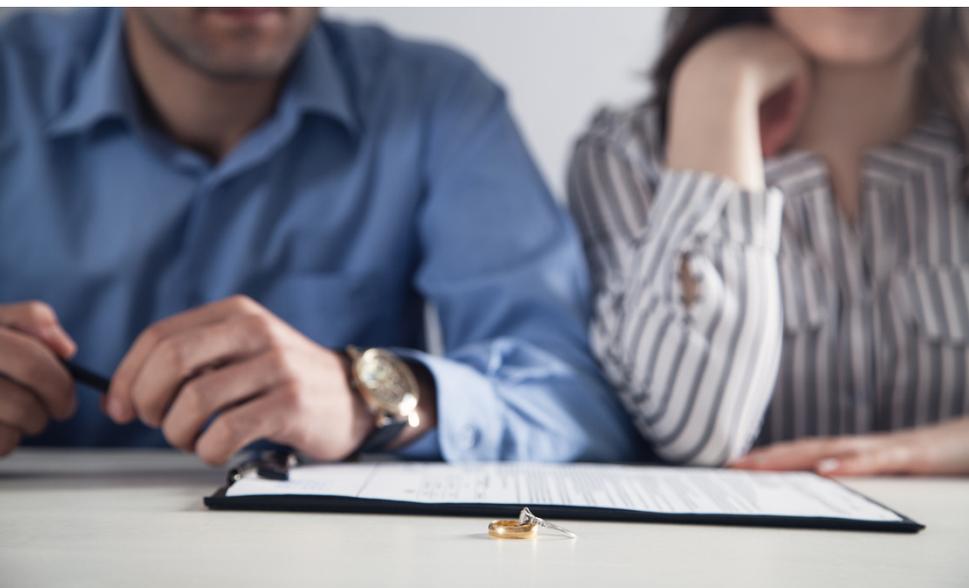
Legal assistance and guidance are recommended for virtually every legal situation. This is particularly true when it comes to matters in the family law court system, although full-time representation may not be needed or affordable for some. In New Hampshire, limited representation is an option when legal services are warranted but keeping an attorney on retainer isn't feasible or necessary. The limited representation options at the Law Office of Joseph M. Annutto can help clients get the help they need on their own terms and at an affordable rate.

The process of securing limited representation starts with an agreement between the attorney and the client. There are basic guidelines and expectations that must be agreed upon before an attorney will go forward. The exact role an attorney will play in a case and what services that attorney will deliver need to be clear for both parties. A fee for the services will also be determined. This kind of representation gives a client the freedom to customize legal services and control the cost of those services.

Types of Limited Representation

There are certain matters in which limited representation is common, including:

- Advising prior to a hearing
- Preparation of legal document
- Counseling as to the legal process
- Consultations before giving testimony or before a hearing
- Research of laws and statutes
- Review of testimony and evidence
- Representation of a client for part of a court hearing



COLLABORATIVE LAW IN NEW HAMPSHIRE

Divorce, parenting, and other family law matters can be time-consuming, expensive, and contentious. For some clients, litigation is the only way to resolve conflict or reach an agreement. Others may find the collaborative law process beneficial. Collaborative law is an elective process that occurs largely outside of the Court. The divorce attorneys at Annutto Law Office have the skills and experience necessary to make the collaborative process work for you.

What is Collaborative Law?

The first requirement of collaborative law requires both parties to agree to participate in the process. After participation is agreed upon, the parties meet, together with their attorneys, to negotiate and solve the issues between the parties. Both sides are heard and get to have their ideas considered in a dignified and respectful setting. Collaborative law attorneys utilize effective communication and negotiating skills to ensure the process goes smoothly and to explore workable solutions to the problems at hand.

In family law, there are numerous issues that may be resolved more effectively through collaborative law rather than through costly and lengthy litigation. Disputes over property division, parenting, alimony, and spousal support, and periodic modifications to existing agreements are all good candidates for collaborative law.

Benefits to Collaborative Law

There are a great many benefits to the collaborative law process. One of the greatest benefits are the avoidance of litigation. Litigation can become adversarial quickly and may lead to a breakdown in communication overall. With collaborative law, both sides feel heard and can walk away knowing their concerns were addressed in a fair and constructive way. It also allows for the private resolution of family law matters. Litigation in family court is part of the public record and this can include support amounts and property division details.

CONTEMPT OF COURT ORDER IN NEW HAMPSHIRE

When one party does not comply with a Court Order, a motion for contempt can be filed requesting a contempt order. Contempt in a family court case can come about for any number of reasons including non-payment of alimony or child support. If you have been charged with contempt or need to file a contempt order in New Hampshire, you need an attorney who has the experience and dedication to follow through to get the results you need. The family law attorneys at Annutto Law Office can be your source for legal guidance as you face a contempt issue.

Reasons to File for Contempt

In order to be found in contempt of a Court order, a judge must make a finding that you have willfully disobeyed a provision of the Court's order. There are many issues that may lead to the filing of a Motion for Contempt. Some of the common examples include failure to abide by child support or alimony order, failure to follow a parenting plan, ignoring an order to sell the house as part of a property division agreement, or failing to follow an order to pay attorney fees.

Penalties for Not Complying

There are serious consequences for not complying with a Court's order. The party filing the motion can request attorney's fees ordered be paid as a result of a finding of contempt, additional fines imposed on top of the already ordered obligations and even jail time is a possibility.

If you are facing a contempt charge, it is vital that you have legal assistance to explain the reason or cause of non-compliance. There are times when a loss of a job, relocation, or other situation leads to non-compliance with a court order. If certain standards are met, a modification may alleviate the contempt complaint.

Experienced Contempt Attorney

Contempt should be taken seriously by all parties. The Law Office Joseph M. Annutto can help you face or file a contempt complaint. We can assess the initial order and ensure it is upheld or modified as needed. Our attorneys understand the importance of court orders and how non-compliance can be disruptive and detrimental to anyone involved, especially if the order involves financial support. We will review your case and work to resolve the problem in a way that suits the needs of everyone affected. Let us help you handle any contempt complaint and get the fair and just outcome you deserve.

PARENTING TIME AGREEMENTS

When it comes to the specifics of parenting time, the Court typically encourages all parties to work together, believing that ongoing relationships with both parents is generally in the best interest of the children involved.

Child Support in New Hampshire

There may be no other area of family law more emotional and life-altering than parenting and child support issues. The dynamics of any family dealing with child support issues is one that requires patience, compassion, and respect for the sensitive nature of the situation. At the Law Office of Joseph M. Annutto in Nashua NH, our attorneys understand the complexities and the importance of any case involving children. We work diligently to protect our client's rights and pursue the fairest and just resolution for any support case.

Once the residential responsibility of children is established, the question of child support is typically addressed. New Hampshire has a formula for calculating support based on the number of children, the monthly gross income of parents, health insurance costs, and childcare expenses. The Court will order child support as set by the formula unless special circumstances exist that would justify deviating from the child support guidelines.

Child support orders may be modified every three years or more often if a substantial change in circumstances has occurred. A substantial change in circumstances may be changing jobs, becoming unemployed, relocating out of state, or the changing needs of the child. If a parent does not pay the support obligation, a motion to the Court may be needed to enforce compliance.

Parenting Time

Parenting time is the new term used instead of "visitation." A Parenting Plan may include a schedule for the non-residential parent to have parenting time with the child. Enforcing or obtaining parenting time can require legal intervention. While a parenting plan may have been drafted as part of a divorce or earlier parenting agreement, later modification of parenting time may be appropriate. If you have a parenting concern, you need an attorney who will dedicate the time necessary to fight for a fair and just resolution while handling the case with sensitivity. The Law Office of Joseph M. Annutto can be your resource for any new or ongoing child visitation issues.

Parenting Issues

When it comes to the specifics of parenting time, the New Hampshire Family Division Courts typically encourage the parties to work together, believing that ongoing relationships with both parents are generally in the best interest of the child. In contentious cases, the method and effectiveness of communication between parents may be evaluated by the Courts. Having an experienced and skilled attorney by your side to navigate this process is crucial. The concerns and issues of conflict between parents can vary greatly from one family to the next.

Some of the typical parenting issues that arise include:

- Vacation schedules
- Transportation between homes
- Relocation and its impact on parenting time
- Parent's schedules
- Children's schedules
- One parent not abiding by a parenting time schedule

Parenting Plan Revisions

Families change and evolve over time and so must a parenting plan. What worked one year may not be feasible or appropriate the next year. Periodically revising the parenting plan is a common part of the co-parenting process. If these changes cannot be resolved directly by the parties, our firm can help. We can negotiate and draft a parenting plan that addresses all of your needs and the needs of your child.

The attorneys at the Law Office of Joseph M. Annutto can be your partner in navigating the unique situations that present themselves in your family. We have the experience and problem-solving skills to find resolutions when one may not seem obvious. If negotiation fails, we will diligently fight to protect your rights as a parent and the time you and your child need together. Let us hear the details of your parenting issues and see if we can provide a solution that works best for your family.

Allocating Parenting Time

In New Hampshire, parents are encouraged to negotiate a parenting plan that they feel is in their children's best interest. The Courts acknowledge that they will never know your children better than you. An experienced attorney that is well versed in negotiating Parenting Plans can assist you in this negotiation.

If you cannot reach an agreement on the parenting schedule, the Court will determine what is in the best interest of your child or children.

Some factors that the Court will consider in making this determination are:

- Relationship between the child and each parent
- Parent's ability to provide food, shelter, medical care, clothing, schooling, and a safe environment for the child
- Developmental needs of the child
- Parent's ability to be supportive of the other parent's relationship with the child
- Religious, school, and community ties of the child

It is important if you decide to litigate parenting issues that you have the advice of an experienced attorney. The attorneys at the Law Office of Joseph M. Annutto have the experience necessary to advise and advocate for you in a parenting dispute.



Grandparents' Rights in New Hampshire

New Hampshire recognizes the special relationship between grandparents and grandchildren. Grandparents have rights that are protected by statute in New Hampshire. However, exercising and protecting those rights can be difficult for some. If you are a grandparent seeking to protect your relationship with a grandchild or need legal help reestablishing that relationship, the Law Office of Joseph M. Annutto may be your best resource for help.

While the relationship between grandparents and grandchildren is regarded in high esteem and as important in the lives of most children, parents do have the legal right to keep their children from visiting grandparents. Fit parents have the legal right to decide with whom their children spend time. If the parents are married and have legal custody and decide they do not wish to keep contact, the grandparents may be unable to pursue the matter through the Courts.

Visitation Rights

Although parents have legal control over their children, there are circumstances under which grandparents can petition for legal visitation with grandchildren. If the parents are divorced and one parent is inhibiting grandparents from maintaining a relationship, a petition for visitation may be warranted. The death of a parent is also grounds for pursuing legal visitation if the surviving parent tries to interfere with or extinguish the grandparent and grandchild relationship. Another reason a petition may go forward is if there has been a termination of parental rights and grandparents wish to seek guardianship or visitation.

A family court judge will not grant a petition just because the grandparents want visitation under the above circumstances. The court will weigh the situation based on the unique factors that impact the case and decide if visitation is in the best interest of the child. Some of the factors a judge will consider before granting or denying a petition may include:

- If visitation will interfere with the child/parent relationship and in what way
- The impact on the child if the petition is denied and grandparents have no relationship with the child
- The child's physical and emotional health

As with any custody or visitation situation, the pursuit of a petition may be emotionally distressing for all involved. Cases involving grandparents' rights need time and attention from a skilled and compassionate attorney who will handle the case with the sensitivity it deserves.

Child Removal and Relocation

When both parents are involved in their child's parenting, they benefit from a parenting plan, which includes detailed responsibilities and obligations. If a parent plans to relocate for work, school, remarriage, or another reason, your parenting plan may already govern what a parent must do to accomplish relocation. That parent may need to gain permission from the Court if he or she plans to take the child on the move. If the other parent opposes the move because of the child's impact or visitation, that parent may seek legal action to stop the relocation. Regardless of which side you may be on when it comes to a parental relocation issue, you need experienced and compassionate legal support.

The New Hampshire Courts Approach

In New Hampshire, the family court system works diligently to ensure the best interest of children is upheld and taken into consideration anytime a dispute arises. The court system strongly encourages working together to adjust parenting plans if there is a relocation of one parent. However, if that fails, litigation may be necessary.

The Courts consider several things before ruling to approve relocation and parenting plan adjustment. There must be a legitimate need for the relocation of the child. There must also be reasonable notice for the relocation or removal of the child from the area. The relationship between the child and parents is also considered, as is the child's access to schooling and healthcare. The move may alter parenting time and affect the child's ability to spend time with extended family, which will also be considered by the Court. If there are any special needs, how those needs will be addressed when a child moves will be determined and weighed. One parent's additional travel expenses to spend time with a child may also be part of an agreement or order pertaining to relocation and removal.

Child Removal Out of State

The issue of relocating a child or removing that child from the state can be stressful and overwhelming for all involved. Our firm understands the sensitivity and importance of any parenting order. If you are trying to relocate with a child or are fighting relocation, you need to be heard, and you need trusted legal help by your side. The Annutto Law Office will listen to your case's details and fight to help you get the resolution you need. We will explain the positives of your position and work to prove the child's best interest. With our help, your relocation or removal case can be handled smoothly and fairly, with your needs addressed and respected in the family court.

GUARDIANSHIP IN NEW HAMPSHIRE

The family court system in New Hampshire works diligently to ensure the best interests of children are upheld. Part of ensuring the best interest of a child as understood by the courts may include the use of a guardian ad litem. A guardian ad litem essentially represents the child and prepares a report for the Court.

What is a Guardian Ad Litem?

A guardian ad litem, or GAL, is a specially trained individual approved by the State of New Hampshire to represent a minor child's interests. A guardian ad litem may be appointed during a divorce case or parenting cases where there are unresolved issues such as residential responsibility, decision making responsibility, parenting time, or relocation of a child.

A GAL will investigate the concerns of the parents and the Court. A GAL's investigation will often include interviews with the parents, family members, significant others, teachers, clergy, and doctors. The GAL will spend time with the child as well. Counselors, any person with a close relationship to the child, and parents may be interviewed. School records and counseling records may also be reviewed. The GAL then takes this information and writes a report outlining what she or he believes to be in the child's best interest. If a trial is held, a GAL will often testify.

Duties of a Guardian Ad Litem

The job of a GAL is a solemn part of the family law system in New Hampshire. Our firm understands the importance of this role and how life-altering the outcome of any family case may be for those involved. Our attorneys are experienced working with GALs and can help you determine if a GAL is appropriate in your case.



ALIMONY AND SPOUSAL SUPPORT

Any divorce process entails great changes that can impact the finances, logistics, and the lifestyle of everyone involved. During a divorce, it is vital to take the necessary steps to protect your rights and finances. A skilled attorney who can negotiate and fight for a fair resolution can help both parties handle the alimony issues that may arise during a divorce.

What is Alimony?

There is no set alimony formula in New Hampshire. This means the judge has a great deal of discretion to award the amount of alimony in any case based on the facts of that individual case. There are many factors a judge will weigh when deciding the amount and duration of a spousal support award. Some of the common factors judges consider are:

- Length of the marriage
- Age and health of each spouse
- Income and employability of each spouse
- The employment history of each spouse
- The lifestyle enjoyed during the marriage
- Amount of property and how that property is divided
- Economic contributions during the marriage
- Non-economic contributions during the marriage, such as staying home to raise a family

Specific situations, such as a special needs child or disability of a spouse, may play a role in the alimony award. If a spouse sacrificed a career or education to raise a family, that may be factored into the alimony award. Generally, alimony is tax-deductible for the paying spouse and is reportable income for the spouse who receives support.

Alimony Modifications

The duration of an alimony award varies based on the above factors. Because the amount and time period can be vastly different for each situation, it is essential to understand the modification process. A former spouse can ask to modify an alimony award, both the amount and the duration, in certain circumstances.

Spousal Support

Any divorce process entails great changes that can impact the finances, logistics, and lifestyle of everyone involved. During a divorce, it is vital to take the necessary steps to protect your rights and also your finances. A skilled attorney who can negotiate and fight for a fair resolution can help both parties handle the alimony issues that may arise during a divorce. The Law Office of Joseph M. Annutto can help you navigate any alimony issue as we fight to protect your financial future.

Prenuptial and Postnuptial Agreements

Legal agreements between a couple before or during a marriage can be highly personal and complicated. Prenuptial and postnuptial agreements can impact the lives of a couple immediately and in the future. Any couple venturing into an agreement before the wedding or after should have individual legal representation to ensure fairness and to ensure the rights of both parties are respected.

Both agreements should be entered into only after his or her legal representation has reviewed the agreement and effectively negotiated any points of contention. The wishes and concerns of both parties should be made clear and both parties should feel protected as the agreement is drafted and implemented.

Prenuptial Agreements

A prenuptial agreement is drafted before the marriage. The agreement typically outlines financial matters, such as a settlement if a divorce occurs. Prenuptial agreements can also affect the rights of spouses upon the death of their spouse. For some, a proposed settlement or alimony plan may increase as the marriage lasts past certain milestones. An outline of a premarital property may also be included. If one party owns a business, a prenuptial agreement may establish that business as separate property not to be divided. More personal matters, such as who will pay certain bills and certain expectations, may also be outlined. Regardless of financial standing before marriage, a prenuptial agreement may outline the expectation of future wealth through inheritance or investments. This agreement is essentially meant to ensure both parties are on the same page before a marriage begins.

Postnuptial Agreements

A postnuptial agreement is drafted during the marriage and is designed to set terms that would ensure the marriage continues to go forward. As a marriage evolves, there may be situations that need to be addressed. If one party decides to begin a business or invest in a business and the other spouse doesn't want to be responsible for the liability, a postnuptial agreement can outline that kind of plan and protection. If major lifestyle or financial changes occur, a postnuptial agreement may address those changes and how each party will be impacted. Budget issues and marital responsibilities may also be addressed in a postnuptial agreement. The purpose is to generally protect the relationship and the individuals involved.

Both agreements can be customized as a couple sees fit. If you need either or want guidance before entering into either a postnuptial or prenuptial agreement, it is vital to have trusted and experienced counsel from the Law Office of Joseph M. Annutto by your side.

DOMESTIC VIOLENCE

Domestic violence and restraining orders are taken very seriously by the New Hampshire family court system. Any incident of domestic violence and a restraining order that may follow can impact the lives of everyone involved in a number of ways. Because this type of incident can be emotionally challenging and distressing for all, it is important to secure trusted and compassionate legal counsel who will help you during this difficult time.

Types of Domestic Abuse

Domestic violence includes threats of abuse, assault, destruction of property, harassment, or sexual assault involving parties who have a significant relationship. This may mean the incident is between spouses, ex-spouses, dating partners, co-parents, household members, or other blood relatives. When police respond to a domestic violence call, they will assess the situation for the above factors and can make an arrest. If the police make an arrest, bail conditions containing a restraining order will be issued. This order will be enforceable until a court hearing.

Even if police are not involved, any individual can file civil domestic violence or stalking restraining order through the Court. The request for a civil restraining order will be evaluated by a judge. If the Judge feels that the Plaintiff has met the statutory requirements to obtain a restraining order, the Judge may issue a restraining order immediately without the Defendant presenting any evidence.

A restraining order or bail conditions containing a restraining order can require the person served to leave a shared home, hand over any firearms, and make orders regarding contact with minor children. The person served cannot contact the other party or show up at that person's workplace or school. Any contact, further threats, or violence can result in criminal charges. This can lead to jail time and greatly impact any family court issues, such as divorce or parenting issues.

Restraining Orders

Restraining orders are taken very seriously in New Hampshire. If you need to file for one or have one filed against you, it is vital that you have the guidance and support of a trusted and experienced attorney. The Law Office of Joseph Annutto can help you deal with a restraining order as you try to move forward from a difficult time.

Issuance of a Restraining Order

A restraining order can be issued against someone with whom there is an intimate or significant relationship. This may be a spouse, ex-spouse, co-parent, dating partner, member of the household, or a blood relative. If you are assaulted, harassed, threatened, your property is destroyed or you are being stalked, you may be entitled to file a restraining order with the Court. If the judge finds that you have met the statutory requirements for a restraining order, a temporary restraining order may be issued. Once a temporary restraining order is issued, a hearing will be scheduled where a judge will hear details of the situation and determine if a long-term order is warranted. A court can impose a restraining order for up to one year if the judge feels it is necessary. At the hearing, both sides are able to present their case and version of what happened. This can be an emotional and distressing event. It is important to have a clear-headed and dedicated attorney by your side to explain the process and prepare you for what may occur.

A restraining order can be life-altering for all involved. The person served with an order may have to leave a shared home and cannot contact the other party for the duration of the restraining order. That person cannot go to a school or workplace that the other person or shared children may be at either. Firearms will have to be surrendered also. A person with an order against him or her may also be ordered to pay support for the other person and continue to pay bills, such as the mortgage, rent, and utilities.

We Fight For You

If you have been served a restraining order after a domestic violence incident or need representation as you file for one, you need to have trusted advice and current knowledge of the law. Our firm specializes in helping families during these tumultuous times. We have the compassion and skills needed to ensure the best possible resolution and will protect your rights throughout the process. No one should live in fear as everyone deserves to feel safe and secure. Also, anyone who has committed domestic violence and is dealing with the aftermath in the court system has rights and deserves protection. With our firm on the case, you can rest assured the facts will be investigated and you will be protected in every way. We will dedicate the time and resources necessary to ensure you get the best possible resolution so you can move forward.

MEDIATION

Any divorce can be an emotional and trying journey, even when it is wanted by both sides. Divorce does not have to always be a battle that leaves all parties anxious, stressed, and financially strained. It also doesn't have to be a public event that results in information about property and support being part of the public record. A mediated divorce can be the quickest, most cost-effective, and least contentious way to dissolve a marriage. The mediators at The Annutto Law Office can mediate your divorce and help you move forward onto a new chapter.

Benefits of Mediation

Mediation works well for couples who have a low level of conflict and who want the most cost-effective and amicable split. Mediation is one way to avoid litigation where the parties have control of the process and decisions made rather than leaving both to the determination of a Judge. In New Hampshire, mediation will be ordered as part of any divorce involving minor children unless there is a restraining order or a history of domestic violence. In addition, even in cases not involving minor children, Judges will strongly encourage parties to participate in mediation.

One benefit of mediation is that both parties get to be heard and typically leave the situation feeling respected and comfortable with the results. A mediator will take each issue and put forth creative solutions that may resolve the parties' disputes. Property division, child support, parenting, and alimony may all be decided through mediation. Any other issues or concerns can also be addressed and resolved.

Mediation Process

The key to successful mediation is to trust the experience and guidance of the mediator and to have your own legal advice. Patience is also needed as issues need to be dissected and both sides need the time to express what matters most to them. The Law Office of Joseph M. Annutto has the experience and understanding needed to guide the mediation process for any couple. Our firm can help you through this journey so you can move forward with a sense of satisfaction. An agreement that works in the best interest of both parties is possible with time, effective communication, and a respectful environment. Before assuming divorce has to be a battle and time-consuming, let us explore the details of your unique situation and see if our mediation skills may be the tool you need to begin to put a divorce behind you.

MODIFICATIONS

Modification of Family Law Matters

When a Court Order is issued in family court, the order is binding by law. However, there may be circumstances that render that order outdated, inappropriate or useless. Circumstances may also change in a way that means the order can no longer be upheld by either or both parties. If an order needs to be adjusted or can no longer be upheld, a modification may be sought. The modification process can be complicated and time-consuming. If you need to seek a modification of a court order or wish to fight a modification, you need legal counsel who has experience handling modifications. The attorneys at the Annutto Law Office can get the results you need for a modification case.

Reasons for Modification

A modification can be sought for a number of reasons. Child support orders can be modified every three years or based upon a substantial change in circumstances. One party may seek to modify spousal support or alimony if there has been a change in income. It is important to note that alimony orders can only be modified for up to five years from the date of a final order or the final payment of alimony. If you are considering an alimony modification, it is important to speak with an attorney right away.

Parenting orders may be modified in certain circumstances. A modification may occur based on a change in parents' work schedules, relocation, the preference of a mature minor, or concerns about children's safety when with the other parent.

If you want to seek a modification, you need an attorney who will dedicate the time necessary to gather evidence or documentation proving a need for the modification. You also need an attorney with negotiating skills who can work towards a resolution that is agreeable to all involved.

Experienced Lawyer for Modifications

Our law firm can dedicate the time needed to ensure a successful modification process. We will use our experience and skill to avoid litigation as much as possible. If litigation is needed, our attorneys will fight vigorously to get the modification approved or contest the modification you oppose. We know the importance of a modification and how any kind of change in a court order can impact your life in a number of ways. When you are faced with a modification case, turn to our trusted and dedicated attorneys to help you navigate the situation and get the fair resolution you need.

PROTECTING YOUR ASSETS

New Hampshire is an equitable distribution state. This means all marital property will be divided equally unless other factors exist that would make an unequal division more equitable. While the law may be clear, splitting actual property may be more difficult than a couple can imagine. The designation of what constitutes marital property may even be questioned. In addition, property divisions are often non-modifiable post-divorce, so if you are questioning a property division now is the time to speak with an attorney before the Court has issued the order or you have signed an agreement. If you are in the middle of a divorce, you need an attorney who can specifically address your unique property and assets division needs.

Qualified Domestic Relations Order (QDRO)

A Qualified Domestic Relations Order is part of a divorce settlement. When a couple is divorced and there are retirement accounts that need to be divided, a QDRO is often needed. Without one, someone may be giving up all rights to accounts he or she has a legal right to have split between both parties. Any property division during a New Hampshire divorce may be complicated and retirement accounts may make the process even more complicated. If you are divorced and need a QDRO prepared, you need an experienced lawyer to help you draft and file a QDRO. The Law Office of Joseph M. Annutto can help you with the process and ensure you have access to the retirement funds that you have been awarded.

What is a QDRO?

A QDRO is a legal document needed to transfer ownership of certain retirement funds from one spouse to the other and avoid tax implications. The company through which the account exists needs to approve the document. Once approved, it will be necessary to decide how you wish for the funds to be distributed. The typical options may be to have the funds given as a cash payout or distributed in the form of monthly payments. You may also have the funds added to an existing 401(k) or IRA. One thing to note is that the person receiving the funds will also be responsible for any penalties that may result from early withdraws.

Protecting Your Finances

Giving up a portion of retirement funds can greatly impact the quality of life for someone who is newly divorced. A couple may have worked hard to invest and ensure the growth of those funds as retirement nears. It is your right and obligation to protect your financial future through the use of QDRO to access retirement funds awarded to you.

The Law Office of Joseph M. Annutto has the experience needed to assist in the preparation of a QDRO and ensure you get the results you need from all property division decisions. Our firm will give your case the personal attention needed to ensure you make the best decision regarding the distribution of funds. We know what is at stake and will work tirelessly to make sure all paperwork is filed and you get the best resolution for your case.

Marital Assets

The first step is to determine or prove what a marital asset is and what may be separate assets. Then, a monetary value must be assigned to marital assets. This will help determine an overall value on which the split should be based.

In determining how assets will be divided, the Court can consider additional factors such as:

- The length of a marriage
- Age of spouses at the time of the split
- Occupations and employability of each spouse
- Custodial parent needs, such as the marital home
- Contribution of each spouse during the marriage
- Reasons for less of a contribution, such as staying home to raise a family
- Prenuptial or postnuptial agreements
- Any gifts or inheritances acquired during the marriage
- Actions that may have impacted the value of assets or depreciated value, such as bad investments

EXPERIENCED FAMILY LAW ATTORNEY ON YOUR SIDE!

At the Annutto Law Office, we understand that each case is unique.

Legal hearings and court procedures are not a one-size-fits-all environment, and clients may have an understanding of what services they need most. The cost-effectiveness of limited representation can greatly benefit anyone who has an upcoming hearing or court date.

Family law can be complicated, but those experienced with the system and who knows what parts of the legal process they need the most assistance with may find limited representation to be the key to a successful outcome.

Let us hear your situation's details and see if a custom approach to legal representation for your family law case is needed.

Contact Attorney Joseph M. Annutto for a family law consultation.

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Experience you can trust