

Spousal Maintenance (Alimony) Research Guide

Overview

This research guide provides resources and information for spousal maintenance, sometimes referred to as alimony in other states, as part of a divorce case. Spousal Maintenance is a payment ordered to be made from the future income of one spouse for the support of the other spouse. The resources listed below are not exhaustive, and there may be additional applications not included.

Statutes & Codes

Texas Family Code / Texas Legislature
www.statutes.capitol.texas.gov

- Chapter 8 Texas Family Code:
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.8.htm#B>

Secondary Resources in Print

Texas Family Law Practice and Procedure KFT 1294 .F35 – Task B4: Determining Spousal Support and Maintenance; C3.11A Pleading for Spousal Maintenance; C3.115 Spousal Maintenance; E2.11 Drafting Provisions Concerning Spousal Support; F1.22 Providing for Spousal Maintenance; F2.144 Letter - Spousal Maintenance; F1.240 Order – Spousal Maintenance; F2.143 Letter – Tax Effect of Alimony and Spousal Maintenance; Task I1 Modifying Spousal Support; Task I2 Enforcing Contractual Alimony and Spousal Maintenance; and I3.01 Understanding Order and Writ of Withholding for Spousal Maintenance

Dorsaneo’s Texas Litigation Guide KFT 1730 .T4
Ch. 360: Dissolution Procedure Guide; Ch. 362: Divorce; and Ch. 364: Post-Dissolution Property Suits

Texas Family Law Practice Manual KFT1294 .T4S7
– Reference Desk and stacks (please inquire at Reference Desk)

- Ch. 32 – Enforcement – Spousal Maintenance and Alimony

Texas Transaction Guide KFT 1268 .K45 § 103.20
Spousal Support

O’Connor’s Texas Family Code KFT 1294 .03B4
FAM §§ 8.101-8.154, pp. 113-117.

CLE Materials

Advanced Family Law Course KFT 1294.S83

- 2020 Ch. 7: It’s Alright, Ma (I’m Only Bleeding): The Future of Future Support – Alimony and Spousal Maintenance by Keathley and Samler
- 2019 Ch. 2: The Great Divide [Part Three] Property Case Update by Joal Cannon Sheridan, Section VI – Spousal Maintenance, p. 10
- 2019 Ch. 37: Disproportionate Division and Spousal Maintenance for the Non-Monied Spouse by Eric Robertson & Esther R. Donald
- 2019 Ch. 42: Divorce and Taxes – Questions and Answers on How the Tax Cuts and Jobs Act of 2017 Affect Divorce by Edwin W. Davis and Jeremiah W. Doyle IV, p. 2, 3
- 2019 Ch. 43: Making Them Pay: Enforcement of Property Divisions by Hon. Karl E. Hays & Hon. Larry E. Noll, p. 19-24
- 2018 Ch. 3: Supreme Court of Texas Update by Hon. Debra H. Lehrmann, Section G. Spousal Support, p. 30

- 2018 Ch. 24: Enforcement of Property Division and Spousal Maintenance by Christopher K. Wrampelmeier
- 2017 Ch. 3: The Great Divide [Part Three] Property Case Update, Section IX: Spousal Maintenance, p.8
- 2015 Ch. 36: Spousal Maintenance & Alimony – What’s the Difference? by Hon. Eileen Gaffney
- 2014 Ch. 15: Premarital and Marital Agreements by Randall B. Wilhite, Section A:1d Modification or Elimination of Spousal Support, p. 3
- 2014 Ch. 29: Spousal Maintenance – An Analysis and Judicial Survey by Susan F. McLerran
- 2011 Ch. 22: The Spousal Maintenance Overhaul by Charla Bradshaw
- 2010 Ch. 26: Making the Case for Spousal Maintenance by Karin D. Mayer, Chris Nickelson, and Hon. Linda B. Thomas
- 2009 Ch. 25: Spousal Maintenance and Alimony by Hon. Don R. Emerson and Sally H. Emerson
- 2006 Ch. 37: “You’ll Make It up in No Time” – Contractual Alimony and Spousal Maintenance by Rhonda F. Hunter
- 2004 Ch. 40: Alimony & Maintenance: Enforceability, Contractual Agreements, Creative Uses and New Tax Traps by Patricia A. Wicoff
- 2001 Ch. 16: Maintenance – “The Price He Has to Pay for Telling Me That We’re Through” by Rhonda F. Hunter

Advanced Family Law Drafting Course KFT 1294.A92

- 2001 Ch. 7: Enforcement: New Tools for Enforcing Spousal Maintenance and Visitation Rights by Charles E. Miller, Jr. (includes sample forms, p.10-58)
- 1999 Ch. C: Drafting Tax Motivated Provisions – Stock Options, Alimony, and Business Buyouts by Randall B. Wilhite, p. 11-17

Advanced Civil Appellate Practice KFT 1755.A75S7

- 2018 Ch. 3: Supreme Court of Texas Update, Section XIII-H, Spousal Support, p. 29

Marriage Dissolution 101 KFT 1300 .M3732

- 2018 Ch. 3: For Richer or Poorer: Temporary Spousal Support, Spousal Maintenance and Alimony

Online Resources

Texas Law Help (www.texaslawhelp.org)

- Spousal Maintenance (Alimony) <https://texaslawhelp.org/article/spousal-maintenance-alimony>
- Financial Resources Help When You Are Divorcing with Low Income <https://texaslawhelp.org/article/financial-resources-help-when-you-are-divorcing-with-low-income>
- What is the Difference Between Temporary Spousal Support, Contractual Alimony, and Spousal Maintenance? <https://texaslawhelp.org/article/faqs-filing-divorce-without-children#toc-37>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up <https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up <https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)