

# Premarital ruling reversed; agreement stands in divorce

By Lee Rood  
Staff Reporter

Until recently, if a couple drew up a premarital agreement to protect their assets in the event of a divorce, that document could be considered void by the state of Nebraska.

The documents were void because Nebraska Supreme Court justices felt that including divorce with death in the agreement might encourage divorces.

On Jan. 16 the high court virtually reversed its stand on the issue in Busekist vs. Busekist and decided that premarital agreements including provisions for divorce can stand up in a state court.

Lincoln attorney David Webb said the court's decision is a good one.

Before the ruling, Webb said, there was little sense in drafting a premarital agreement because the contracts didn't necessarily stand up in court. But now, considering current divorce statistics, the latest decision to honor the agreement makes a lot of sense, he said.

"Love is great, but you have to consider reality too," Webb said.

In Nebraska, premarital agreements are used mostly to protect the assets and estates of people who want their valuables to go to someone other than their spouses.

Several Lincoln attorneys agreed that the contracts are usually drawn up when people are beginning their second marriages to "protect" themselves and provide for children from earlier marriages.

But attorney Richard Bollerup said

he still doesn't believe some of the agreements will stand up in courts.

Bollerup said Nebraska lawyers and judges don't like the agreements because they encourage divorce, because attorneys can do little bargaining with them, and because couples rarely know all the assets involved.

So while the court may have reversed its decision, Bollerup said, the contracts can still be overruled.

In other states, premarital agreements have been drawn up to protect one spouse from another in other ways. Some couples have written up guidelines to their marriages and if one party does not follow the guidelines, the other has the right to a divorce.

Bollerup said that those agreements are not needed in this state because Nebraska has "no-fault" divorces. Nebraskans need no grounds for a divorce, Bollerup said, but residents of other states may need to prove their spouses unfit before they can divorce them.

## Organization, etiquette among guest list tips

Drawing up a guest list for a wedding and reception can be a delicate matter, since it involves many personal preferences. Here are some suggestions from Bridal Originals of New York on how to handle the task:

- Use four separate lists — the bride's, the groom's, the bride's parent's and the groom's parent's — to compose the master list.

- It is a good idea to keep your guest list arranged on three-by-five cards in alphabetical order. This makes it easy to subtract and add cards, depending on who accepts or declines. Gifts can be noted on the cards, making it easier to write thank you notes after the wedding.

- If the bride and groom are from the same town, the names are generally evenly divided. If you come from different areas of the country, it is likely that the bride's guest list will be larger,

since the wedding is frequently held at her church. The bride's and groom's mothers should confer and agree on the number of invitations allocated to each party. An effort should be made to avoid duplication.

- Try to order the invitations at least four months in advance of the wedding. Check your yellow page directory for the names of engravers and printers who specialize. Avoid costly errors by making sure that you give the printer the correct time, place and spelling of all names to be printed on the invitation.

- Address the invitations in a formal way with neat handwriting and no abbreviations of street, city or state names. All titles should be written out, including those of doctors, clergymen and military personnel. The only acceptable abbreviations are Mr., Mrs. and Ms.



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