

Maryland Equitable Distribution Attorney

Dividing property in a divorce is rarely as simple as splitting everything evenly. Maryland addresses marital property through equitable distribution, which focuses on what is fair rather than necessarily equal. A Maryland equitable distribution attorney can help clients understand how marital assets—and, in some instances, debts—may be handled while working to protect their financial interests. Whether the case involves real estate, bank accounts, retirement accounts, **businesses**, or complex financial holdings, clear legal guidance can help clients understand their options and move forward with confidence.

What Equitable Distribution Means in Maryland

Equitable distribution is the framework Maryland courts use to address marital property. It does not require a 50/50 split. Instead, the court evaluates the circumstances of the marriage, identifies marital property, values the assets, and determines whether a monetary award is appropriate. Where permitted by statute, the court may also transfer certain property interests. Courts do not divide every asset directly; instead, they may award certain assets to one party and order a monetary award to reach a fair result. Debts may affect the parties' economic circumstances and the court's overall equitable analysis, but marital debt is not directly divided in the same way as marital property.

Marital vs. Non-Marital Property

An important step is determining what qualifies as marital property. In general, marital property includes property, however titled, acquired by one or both spouses during the marriage. It typically excludes property acquired before the marriage, received by inheritance or third-party gift, excluded by a valid agreement, or directly traceable to those sources.

Even if one spouse owned or purchased an asset before the marriage, later circumstances may affect how the asset is classified. Commingling, retitling, tracing issues, or the use of marital funds may affect whether an asset is treated as marital, non-marital, or partly both. For example, inherited funds placed into a joint account may be treated differently depending on the facts and whether the funds can be traced. In those cases, the court must determine whether the asset remains separate, becomes marital, or has both marital and non-marital components.

Property and Financial Issues Maryland Divorce Courts May Consider

Maryland courts consider a wide range of assets and liabilities when addressing equitable distribution. This may include real estate, retirement accounts, pensions, bank accounts, business interests, vehicles, furniture, and other valuable personal property. Debts, such as mortgages, credit cards, and loans incurred during the marriage, may also be considered as part of the parties' overall financial circumstances. The court looks at the full financial picture when deciding whether an equitable monetary award or other relief is appropriate.

How Courts Decide What Is Fair

Maryland Family Law § 8-205 sets out the factors the court considers before deciding whether to grant a monetary award or transfer certain property interests. These may include each party's contributions, property interests, economic circumstances, the length of the marriage, age, health and overall condition, how property was acquired, any alimony award or award relating to the family home or family-use personal property, the circumstances that contributed to the estrangement of the parties, and any other factor the court considers necessary or appropriate.

The length of the marriage is often significant, as longer marriages tend to involve more shared financial and non-financial contributions. Courts may also consider contributions such as raising children, maintaining the household, or supporting a spouse's

career.

Courts also consider each party's financial situation, including income, earning capacity, and future needs. They may review how assets were acquired and maintained, as well as any applicable agreements, such as a prenuptial or postnuptial agreement.

In some cases, courts issue a monetary award instead of dividing assets directly. This can help the court reach an equitable result without necessarily requiring certain property, such as a home or business, to be sold.

Why Work with Our Maryland Equitable Distribution Attorneys

Property division can be one of the most complex parts of a Maryland divorce, especially when significant assets or long-term financial planning are involved. Our attorneys have experience handling a wide range of equitable distribution issues and focus on helping clients protect their financial interests. We approach each case with a clear strategy and attention to detail so clients understand their options and can move forward with confidence.

Speak with an Experienced Maryland Equitable Distribution Attorney Today

If you are going through a divorce or expect property division to be a key issue, it is important to get legal advice early. Understanding how equitable distribution works can help you make informed decisions and avoid unnecessary disputes.

To learn more or get started, you can [reach out here](#) or explore our broader [family law services](#), including information on [divorce](#) and [high-asset cases](#)

First name*

Last name*

Email*

Phone number*

*

Geographic location

☐

Maryland

☐

District of Columbia

☐

Virginia

☐

Other

Briefly discuss your issue

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