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From now until December 23rd we will bring you 12 short articles regarding legal issues that were addressed in the law in 2020. We are posting these articles on our Gehris & Associates, LLC Facebook page. Please go to our Facebook page and 'like' AND 'share' the article each day. If you 'like' AND 'share' the article your name will be entered in to a drawing for a gift package. This means that if you 'like' AND 'share' every article you will receive 12 entries. After all 12 days of Christmas articles have been posted, we will announce the winner of the prize package. Please pass this along to your friends and family. Anyone can enter.

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Division of Worker's Compensation Award



When a court is dividing marital assets amongst the parties in a dissolution of marriage proceeding, it will consider multiple factors, such as: what, if any, assets the parties have and their value, the ages of the parties and children, which party has provided support for the family and the sum of their contribution, the employment status of the parties, each

party's credibility, debts and liabilities, and ability to earn future income.

In the case of *In Re: Marriage of Tanya S. Storm and Joshua W. Storm*, Joshua appealed the trial court's decision to divide his workers' compensation settlement of \$28,392.47 with Tanya. The court found that the parties had agreed that the compensation award was marital property and that it was their only asset. Further, the court did not find Joshua credible in his testimony that he could not work due to his injury and that he had numerous debts. The trial court ordered and appellate court affirmed equal division of the \$28,392.47 workers' compensation claim, holding that equal division of Joshua's award was just for several reasons. The court looked at the following factors: it might be his only opportunity to support his family, considering him being unemployed, Tanya being awarded custody of the children and making minimum income, both parties' struggle with drug abuse and addiction, them having previously claimed bankruptcy, and Joshua having a felony conviction.

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