



# Your Hand in Marriage — the **Second Time** Around

Two-thirds of couples fail the **next go-round**. Here's how the successful ones beat the odds to find happiness. ::

BY DAVID WRIGHT

**I**T'S THE SECOND BIG MARRIAGE for John and Audrey. The first ended in divorce for both of them, and now, in their 50s, they've found new happiness with each other.

But if this mature marriage is to work and they're to beat some dismal statistics, they've got a lot more to talk about than flowers and invitations, say experts.

These would-be subjects are as unromantic as letting each other

examine each other's credit reports, taking action to head off potential family feuds — even deciding whether they'll share ownership of the Chinese vase, rumored to be valuable, that's been in Audrey's family for generations. And maybe — like an increasing number of “second timers” — John and Audrey should be debating, “Do we need a prenup?”

## BEATING THE ODDS

Statistically, second marriages have a gloomy 67 percent failure rate

— and making them successful should start long before the wedding day, marital and financial advisers agree.

The key is total financial transparency: husband and wife-to-be opening not only their hearts but also their bank statements and credit scores to each other, says Lili Vasileff, president emeritus of the National Association of Divorce Financial Planners.

“It's tough — there's no easy way to do this, and it can get a little emotional because you're sharing an

enormous amount of information,” the Greenwich, Conn., adviser tells Newsmax.

“Marrying in your 50s is a lot different from when you were in your 20s or 30s. Both parties have different goals and obligations and more assets and debts that have accumulated over the years.”

#### CARDS ON THE TABLE

She recommends that couples provide each other with their credit reports and scores, and even share their previous divorce documents. “A second wife-to-be may be counting on his pension for their future retirement but discover that in his divorce agreement he already pledged 50 percent of it to his ex,” she says. “Or he may be obligated to pay for her health insurance. But you don’t have to play detective if you can just agree to sit down and talk honestly.”

#### DO YOU NEED A PRENUPT?

A prenuptial agreement, once the exclusive domain of Hollywood celebrities and the very wealthy, can head off a multitude of future heartbreaks for “ordinary” folk, too, according to their national association.

Couples need separate attorneys, but a prenup that’s not too complicated can be drafted for less than \$1,500.

Stuart Scott is a Nashville, Tenn., attorney who specializes in prenuptial agreements. He says they’re suited for “people who are truly committed to one another, who have nothing to hide and want to do the right thing for each other.”

He recommended one to his own father, who remarried recently (see accompanying story).

#### KIDS AND ASSETS

He’s learned that men and women

often approach them differently, Scott tells Newsmax. “Oftentimes women are most concerned about taking care of their kids, while men want to take care of their assets.

“The bride-to-be may not be as well off as her husband, but the prenup is important to her because perhaps she has children and she wants it spelled out where they will live and go to school in the event of a divorce. Or she may have an heirloom

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passed down through the family and she wants to make sure it remains her property.

“But the underlying emphasis is the same for both: They want to ensure that in the event something terrible does happen and they have to go through a divorce there’s some security about what’s going to happen.

“I tell couples that a prenup is like fire insurance. I do everything in my

power to avoid a fire in my home, but if it happens and I don’t have insurance, I’m an idiot.”

#### PEACE OF MIND

Prenups can cover everything from the extent of the new wife’s interest in the husband’s family business to how they’ll finance their retirement or pay fees for one partner’s college age children.

But resistance still runs deep.

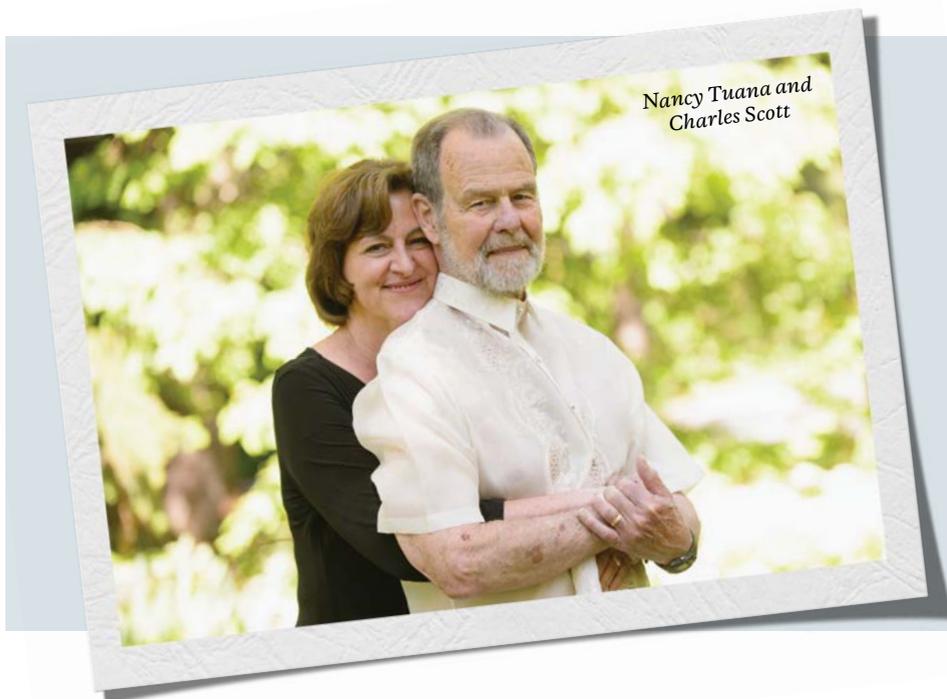
“One partner will ask the other, ‘Don’t you trust me? Do you not think our marriage is going to last?’” says Scott.

Even late in life, couples in love prefer to talk about their hopes and dreams, not hard cash and credit

cards, and he has encountered some who’ve broken up rather than sign prenups.

“But it’s indicative of other, deeper problems in the relationship,” he says. “If two adults who plan to marry and spend the rest of their lives together can’t have a meeting of the minds over their finances and how they want to share with one another, then it doesn’t bode well for the marriage.”

A prenup can head off potential



future family crises, he says. “Sometimes when mature people are getting married their adult children fear they’re losing out.

“I’ve had them come to me and say, ‘Dad’s getting married again, and we want to make sure he doesn’t lose everything.’ A prenup can be a nice soothing piece of information for them. Their father or mother is able to tell them, ‘I’ve made provisions for you and the grandchildren and my new wife has agreed. We’re putting all this in a contract to ensure that it will never change no matter what.’”

### DON'T FORGET THE WILL

One mistake second marriage couples make, says Scott, is neglecting to change their wills, life insurance beneficiaries, or power of attorney. “The old will may still be leaving everything to your former spouse,” he points out, “while if the former spouse still has power of attorney, then he or she can legally continue to make life-or-death decisions for you.”

And today there’s a new twist to prenups unimaginable a few short years ago: the social media clause.

“It’s become very important to some people ever since websites sprang up where one partner in



### WEDDING PLANNERS

Clockwise: Lili Vasileff, Stuart Scott, John Burns. All agree that careful financial planning may head off divorce — the next time around.

a nasty divorce can pay to have embarrassing photos or videos of the other partner posted on the Internet,” says Scott.

He adds, “A social media clause in a prenup spells out that neither partner will ever publish nude, semi-clothed, or sexually explicit photos or videos of the other.”

### HAPPY RETURNS

John Burns, another prominent attorney in Nashville, says that for couples marrying for the second time

it’s important to decide whether to file tax returns jointly or separately.

“One spouse may owe federal or state taxes — and once they marry and start commingling assets the other spouse is liable.

“I recommend filing separately so that the spouse who has paid his or her taxes doesn’t assume the partner’s debt.”

Couples usually make appointments to see him about prenups “after they’ve been away for a weekend and one of them has broached the subject over a glass of wine,” he tells Newsmax.

But it’s essential for bride and bridegroom-to-be to begin discussing their prenup at least six months before the wedding, rather than leave it to the last minute, he says.

Otherwise one partner may claim later that he or she didn’t have time to absorb the details or that they signed it under duress.

Burns grimaces when he remembers the groom who popped into his office to sign the prenup just a few minutes before the wedding.

“He’d cut it so close that he had to ask to borrow my office to change into his tuxedo,” he says. □



## WITH THIS PRENUP, I THEE WED

**N**ancy Tuana and Charles Scott were married in March after previous marriages ended in divorce. They agreed to share with Newsmax the rationale behind their decision to sign a prenuptial agreement.

“Both of us have mature families, and we both have investments and wealth that we want to pass on to our children,” says Nancy, a 63-year-old professor of philosophy at Penn State University. “So a prenup made perfect sense for us.”

Charles, 79, who also teaches at Penn State and is a distinguished professor of philosophy at Vanderbilt University, admits he was initially more cautious. “It’s counterintuitive for a couple who really love each other, and in spite of the calendar years feel closer to 21, talking about ways to protect themselves from divorce,” he says. “It can cause some couples to say, We don’t need to worry about that. But we found out that’s probably not wise.”

Both had homes and they decided to make both houses

and their contents joint marital property, along with both their incomes from the time of the marriage.

Nancy has two sons, a 24-year-old U.S. Marine and a 21-year-old still in college. They agreed that expenses for the younger son would be deducted from her monthly paycheck before it became joint income.

Nancy made Charles the beneficiary of her life insurance policy “so that if I died unexpectedly, and my revenue would stop coming in, he would have a financial cushion.”

She adds, “The key to having a prenup was my desire to protect my children and his and be completely transparent so that they understood that the marriage wasn’t going to impact their inheritances.”

“In that way we avoid any conflict in the families later on,” agrees Charles.

Both feel their prenup has given them and their families peace of mind. “It’s hugely helpful to have these candid talks before you’re in the midst of a marriage because you learn what each person’s desires and fears are,” says Nancy. □