

Fall 2004

## Times Have Changed: Be Smart About Living an Unmarried Life Together

*Meghann Hanson, Student Intern*

Unmarried couples that live together come in all shapes, ages and sizes. Young couples fresh out of college, same sex couples, recently divorced individuals and even senior citizens are now choosing a lifestyle of living together without the doctrine of marriage. Whatever the reason, two people have chosen to live together in the same apartment, condo or home. It allows each the opportunity to maybe save a little money by sharing expenses while at the same time developing and nurturing a potential long-term relationship.

It all sounds so simple. One person moving in with the other, having a duplicate key made and the rest just falls into place. Not so fast. There can be substantial problems with this situation if some preliminary homework isn't done ahead of time.

What happens if the relationship doesn't work out? Were there any mutual purchases made and which partner gets to take the item with them? Or, in a worse case scenario, if there were mutual purchases made and one of the partners dies, does the other person have a legal right and can they assume possession of the household item?

It is at this point where legal issues can come to the forefront of this "ideal" living arrangement. There are things you take for granted when you're married, which

may not apply in this situation. Many of the legal and financial safety nets in place for married couples are available for unmarried couples too, but it will take a bit more planning. First of all, couples living together should decide whether they want to share ownership of any real or personal property. If so, they must decide what form of common ownership interest they are going to have. Secondly, they may want to consider entering into a written agreement. Minnesota law allows a man and women to enter into a written contract to determine such things as ownership of property, maintenance and support on the death of one party or the dissolution of the relationship. Third, the parties could consider granting each other powers of attorney. Minnesota recognizes two types of powers of attorney. With the durable power of attorney, one partner can grant the other rights to management of bank accounts, property and other assets. With a health care power of attorney one partner can authorize the other to make medical decisions. Lastly, a will or living trust can determine the rights of a partner to inherit property on the death of the other partner.

In the event the relationship should not be long term and end on less than amicable terms, all of this documentation will be of great assistance when the time comes to split up any mutual assets. This is best described as taking the nuptial out of the pre-nuptial agreement.

### REMEMBER TO VOTE

**Primary Election Day — September 14 • General Election Day — November 2**

#### Voting Information Available

For polling place information call City Hall at 385.3608 or visit the Secretary of State's website at [www.sos.state.mn.us](http://www.sos.state.mn.us) click on "Elections and Voting" and Find Your Polling Place".

You may register as a voter or vote on an absentee ballot at the City Clerk's Office at City Hall or at the Auditor's Office at the Goodhue County Government Center. Absentee ballots will be available at either location.



## Organization

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*This newsletter is not intended to constitute legal advice regarding specific legal issue. If you have a specific legal concern or need advice, you should consult an attorney of your choosing.*



## Candidate Forums In October

The League of Women Voters-Red Wing announces forums for candidates for the November general election. Candidates for House District 28A Jerry Dempsey and Sandy Wollschlager will appear at a forum on Tuesday, **October 5** at the Red Wing Public Library. A public reception for candidates will be held from 6:30 PM to 7 PM, followed by questions from 7 PM to 8:15 PM. The event will be videotaped for later broadcast on local Government Access Channel 6. The moderator for this event will be Kathryn Rynders.

Candidate forums for Red Wing City Council, Mayor, and Goodhue County Commissioner candidates will be held on Thursday, **October 14** in the Red Wing City Council Chambers. City Council and mayor candidates will answer questions from 6:30 PM to 7:45 PM. Following a 15 minute break, County Commissioner candidates will be questioned from 8 PM to 9 PM. The moderator for this event will be Jerry Olson. This event will be aired live and taped for future showings on local Government Access Channel 6.

Both forums will be conducted according to League of Women Voters guidelines, which include submitting all questions in writing to a screening committee, and setting time limits on candidate's responses. The public is encouraged to attend these forums to listen to and question candidates for these elective offices.

The League of Women Voters is a nonpartisan political organization that encourages the informed and active participation of citizens in government.