Massachusetts Prenuptial Agreement

This **Massachusetts Prenuptial Agreement** ("***Agreement***"), also known as an antenuptial agreement, is made on _____ by and between the parties below:

First Party

_____

_____

_____

_____

_____

_____

_____

_____

_____

Second Party

_____

_____

_____

_____

_____

_____

_____

_____

_____

First Party and Second Party may be referred to together as the "**Parties**."

The Parties intend to marry each other on or about _____. This Agreement will become effective only upon the Parties' legal marriage.

1. Purpose

The Parties enter into this Agreement to define their respective rights and obligations regarding property, debts, income, estate rights, and financial matters during the marriage and in the event of separation, divorce, annulment, or death.

The Parties intend this Agreement to be binding under Massachusetts law. This Agreement does not determine child custody, parenting time, child support, or any other matter involving children, which must be determined under applicable law.

2. Voluntary Agreement and Legal Advice

Each Party confirms that the Party is signing this Agreement freely, knowingly, and voluntarily. Neither Party has been forced, threatened, pressured, or misled into signing.

Each Party has had sufficient time to review this Agreement, consider its legal and financial effects, and consult independent legal counsel. Each Party either has obtained independent legal counsel or has knowingly chosen to sign without counsel.

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3. Financial Disclosure

Each Party confirms that the Party has made a full and fair disclosure of that Party's material assets, debts, income, business interests, real estate, retirement accounts, investments, and other financial circumstances.

Each Party acknowledges that the other Party is relying on these disclosures in signing this Agreement.

First Party Financial Disclosure

Category	Description	Estimated Value or Amount
Real Estate		
Bank and Investment Accounts		
Retirement Accounts		
Business Interests		
Personal Property		
Debts and Liabilities		
Income		

Second Party Financial Disclosure

Category	Description	Estimated Value or Amount
Real Estate		
Bank and Investment Accounts		
Retirement Accounts		
Business Interests		
Personal Property		
Debts and Liabilities		
Income		

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4. Separate Property

Each Party's separate property shall remain that Party's separate property. Separate property includes:

- Property owned by a Party before the marriage.
- Property received by a Party during the marriage by gift, inheritance, trust distribution, beneficiary designation, or similar transfer.
- Income, appreciation, proceeds, substitutions, or replacements of separate property.
- Business interests, retirement accounts, investments, and personal property owned before marriage or acquired as separate property.

Separate property shall remain separate even if it increases in value during the marriage, unless the Parties sign a written agreement changing its classification.

5. Marital Property

Marital property means property that the Parties acquire jointly during the marriage or expressly agree in writing to treat as marital property.

Jointly titled property, jointly held accounts, and property purchased with joint funds may be treated as marital property unless the Parties clearly document a different intention.

In the event of divorce, annulment, or legal separation, marital property shall be divided as follows: _____ .

6. Debts

Each Party shall remain solely responsible for debts incurred by that Party before the marriage.

A debt incurred during the marriage shall be the responsibility of the Party who incurred it, unless both Parties agreed in writing to treat it as a joint debt or the debt was incurred for a mutually agreed marital purpose.

Each Party shall protect the other Party from claims, collection efforts, costs, or liabilities arising from that Party's separate debts.

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7. Spousal Support

In the event of divorce, annulment, or legal separation, spousal support, also known as alimony, shall be handled as follows: .

The Parties intend this clause to be enforceable to the fullest extent permitted by Massachusetts law. The Parties acknowledge that a court may review any spousal support provision under applicable law at the time enforcement is requested.

8. Estate Rights

Except as otherwise provided in a valid will, trust, beneficiary designation, or other estate planning document, each Party waives any right to claim an elective share, statutory share, intestate share, allowance, or similar interest in the other Party's separate property to the fullest extent permitted by Massachusetts law.

This Agreement does not prevent either Party from voluntarily naming the other Party as a beneficiary in a later estate planning document or beneficiary designation.

9. Amendment or Revocation

This Agreement may be amended or revoked only by a written document signed by both Parties.

No oral statement, informal promise, email, text message, course of conduct, or unsigned document shall amend or revoke this Agreement.

10. Governing Law

This Agreement shall be governed by and interpreted under the laws of the Commonwealth of Massachusetts.

11. Entire Agreement

This Agreement contains the entire agreement between the Parties concerning the financial and property matters addressed in it. It replaces all prior discussions, promises, or understandings concerning those matters.

If any clause is found invalid or unenforceable, the remaining clauses shall remain effective to the fullest extent permitted by law.

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12. Signatures

The Parties sign this Agreement voluntarily and with the intention of being legally bound after their marriage.

First Party

Name

Date

Signature

Second Party

Name

Date

Signature

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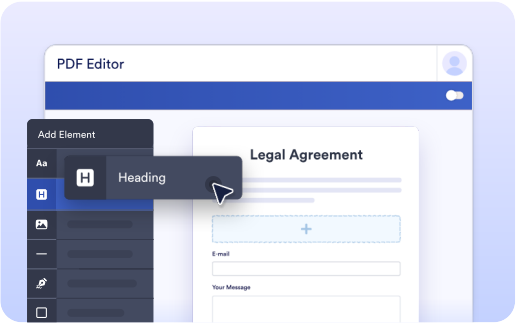

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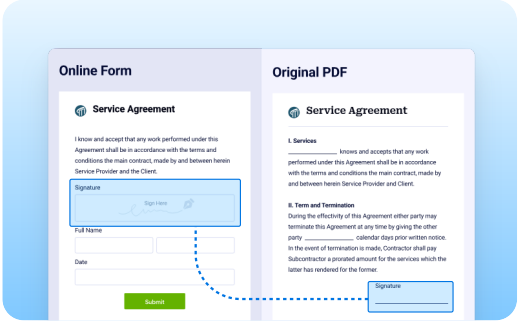

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