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WalletPop Blog**How to avoid 'pulling a Gosselin' with family finances**

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On Monday, Jon Gosselin said he returned \$230,000 in funds to a joint account shared with his estranged wife, and reality show co-star, Kate Gosselin.

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He did so because earlier this month, a Pennsylvania judge ordered Jon to return these funds, even as he continues to criticize Kate for not being forced to return money she allegedly withdrew from the couple's account.

While Gosselin has a fighting chance of quickly coming up with that much coin (through media appearances and sponsorships), most regular Janes and Joes in the midst of a divorce aren't usually able to pony up large chunks of cash all at once.

What's a regular guy (or gal) to do?

Experts say being proactive is the best offense to this financial faux pas. Former divorce attorney and mediator-turned-author of *"The Complete Divorce Handbook,"* Brette Sember says that during divorce proceedings, all joint accounts should be changed to require both signatures for withdrawals of any types. "That will help prevent a potential problem," Sember said.

Surprisingly, Sember says it's often considered acceptable to withdraw up to half of the money in a joint account for living expenses.

"This is a good idea," she said, "if you suspect the other party might drain all the funds." It's also a good idea to open an individual account, she says, "just to keep things straight and to show where that half was spent." That can help stave off a repayment order.

It's also wise to discuss this with your attorney *before* withdrawing any money. As Sember explains, "Usually

both sides will discuss fair 'allowances.'"

Funding the payback

"Since most people don't have the bank account balances of reality stars or other celebrities, when repayment is ordered, it's doesn't usually involve amounts in the tens of thousands," Sember said.

But a "regular" person ordered to pay back joint funds, Sember adds, might not necessarily be required to pay back all the money withdrawn from a joint account. "It all depends on what the money that was withdrawn is used for," she said.

For instance, a judge might allow the withdrawing partner funds for living expenses and not require the full amount be repaid. But money used to fund vacations, parties or new cars will likely need to be paid back.

Sember says if the money funded egregious spending (on cars, vacations, etc.), a judge might order immediate repayment. In that case, **person-to-person lending** is one option to generate quick cash. With most P2P services, you've got to pass a credit check. But the interest rates are often much lower than those of banks or credit cards, making it a viable option to repay joint funds fast.

"For those with a credit score of 640 to 660 or higher, P2P lending is a good option since most loans are made for less than \$10,000," said Beverly Blair Harzog, co-author **"The Complete Idiot's Guide to Person-to-Person Lending."**

In Gosselin's case, the full amount was ordered to be repaid because Kate hauled Jon into court relatively quickly after Jon dipped into their joint funds. "That increases the likelihood he still had all or most of it to pay back," Sember said.

In most cases, however, the amount will either be subtracted from the person's final financial settlement (of assets, property, funds, etc.) or be repaid in installment payments. The most common channel for repayments is wage garnishment.

"My ex-husband drained our entire savings and checking," said Nancy Owens of Atlanta. "His wages were garnished for child support as well as for the funds he was ordered to repay."

Want to preserve your wages? If you've already spent the money, shopping for a personal loan through either your bank or credit union might be the best bet.

Divorce attorney Jane E. Lessner says in some cases, interest can be awarded; attorney fees and court costs could also be awarded.

"My ex was required to pay my additional court costs and fees to obtain the repayment order," Owens said.

So you'll want to start paying back something -- anything -- as soon as possible to save interest and additional fees from accruing.

Bottom line

Sember's advice? Play fair. "The best way to avoid trouble is by being honest," she suggests. If you're not sure you can withdraw funds, or how much to take out, don't do it without talking to your attorney first, if for no other reason than to avoid being accused of "pulling a Gosselin."

Sound off. Think Jon was justified in withdrawing the money? Do dads get a bum rap when it comes to the handling of joint funds?

Gina Roberts-Grey is a freelance writer specializing in consumer issues.

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