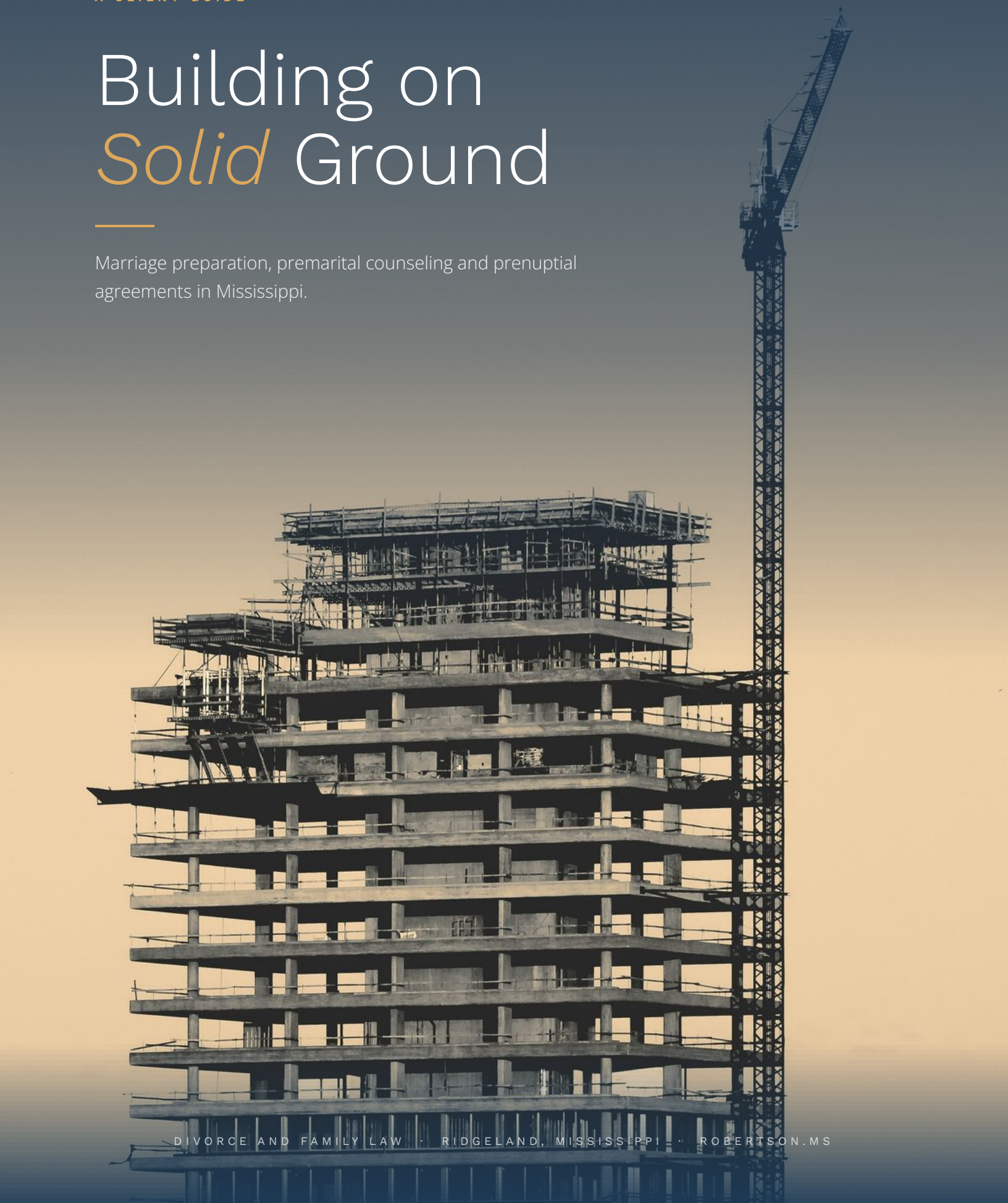
A CLIENT GUIDE

Building on *Solid* Ground

Marriage preparation, premarital counseling and prenuptial agreements in Mississippi.



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Building on Solid Ground

Couples spend months planning a wedding, but the couples who thrive, also plan the marriage.

A newly constructed home rests on two things: a strong foundation and a sound structure. In a marriage, the structure is the relationship itself: how you talk, play, disagree and trust each other. The foundation is the clarity you bring to money, property and expectations before you say "I do."

This guide covers both. Parts One and Two focus on the relationship: premarital counseling and the four needs that are often absent from failed marriages. Parts Three and Four cover prenuptial agreements: what they do, why they matter in Mississippi and how we build one with you.

We spend our days with families whose marriages did not last. That work has taught us what makes the difference, and it is why we care about helping yours succeed before it ever starts.





PART ONE

Before You Build

The best time to work on a marriage is before it begins.

Premarital Counseling

No one builds a house without plans. Premarital counseling gives you a structured place to talk through the subjects couples tend to avoid until they become problems. Good programs help you see your strengths and your growth areas while habits are still forming and goodwill is high.

A few sessions with a good counselor are enough to learn where you are aligned and where you are not. Counseling does not mean something is wrong. It means you take the marriage seriously enough to prepare for it.

What It Covers

- Communication and how you handle conflict
- Money: spending, saving, debt and how bank accounts will work
- Faith, values and the traditions you want to keep
- Family of origin, in-laws and boundaries
- Expectations about children, careers and roles at home
- Affection, intimacy and staying connected through busy seasons

Counseling and the Prenup Go Together

Premarital counseling and a prenuptial agreement ask many of the same questions. Couples who do both often find the prenup conversation easier, because they have already practiced talking about money openly and kindly.

> My premarital counseling was a seven-minute phone call with Rachel's uncle, who married us. We didn't know a thing about marriage, or about ourselves. It has taken me thirty years to build real self-awareness. My advice: do the work now.
>
> CRAIG ROBERTSON

Where to Start

The right fit depends on your faith, your schedule and the issues you want to address. Any of these is a solid place to begin.

Your Church or Pastor

Many churches offer premarital programs at little or no cost, and many use one of the assessments listed here.

PREPARE/ENRICH

prepare-enrich.com

An online assessment followed by sessions with a trained facilitator. Widely used by churches and counselors.

SYMBIS

symbis.com

Saving Your Marriage Before It Starts, developed by Drs. Les and Leslie Parrott. A personalized assessment with a facilitator.

The Gottman Institute

gottman.com

Research-based workshops, books and tools on friendship, conflict and connection.

R+E Therapist Directory

robertson.ms/therapists

Mississippi counselors we know and trust, many with couples experience.

Insightful Readings

Linked at robertson.ms

Our curated list of books on marriage, family and personal growth.

Know Yourself

The best marriage advice is as old as Socrates: know yourself. Tools like the Enneagram help you understand what drives you and how you affect the people around you. The more you understand yourself, and the more curious you stay about your spouse, the better chance your marriage has to be everything you dream it will be.





PART TWO

What Holds a Marriage Up

Four needs every healthy marriage shares.

The AIRS of a Healthy Marriage

Most of what a marriage needs fits into four words: **Adventure, Intimacy, Respect and Security**. Like the walls of a house, each carries weight, and each depends on the others. A pleasant surprise cannot repair a pattern of dishonesty, and a dependable household can still feel lonely without affection and curiosity.

A Adventure

Shared discovery: a trip, a class, a new trail. Adventure lets you see each other beyond everyday roles. You get to be curious about each other again.

Ask: What is one new thing we want to try in our first year of marriage?

I Intimacy

Think of it as "into me, see." Affection and touch matter, and so does honest conversation about fears and hopes.

Ask: When does each of us feel most loved?

R Respect

Respect shows up in how you disagree: whether you interrupt, whether private disclosures become ammunition and how you speak about each other to others.

Ask: How did our families handle conflict, and what will we do differently?

S Security

Trust in the life you are building: financial honesty, kept promises and room to raise hard topics. Vulnerability becomes possible when experience tells you it is safe.

Ask: What does each of us bring into the marriage, and what do we need to feel safe?

Adapted from "When a Marriage Needs Room to Breathe," robertson.ms/blog



Keeping It in Good Repair

Strong marriages are maintained, not just built. When these four simple habits fade, the decline is usually gradual: lost fun becomes tension, lost eye contact becomes distance, lost touch becomes loneliness and lost rituals become two separate lives.

1. **Have fun together, on purpose.** A walk, a game, a shared hobby. Fun does not need to be expensive, but it does need to be prioritized.
2. **Make eye contact.** Looking at each other signals you see and value your spouse. Put the phone down and be present. Give each other the gift of your focused attention.
3. **Keep touch in the relationship.** A hand on the shoulder, sitting close, a brief hug. Small gestures communicate safety and connection.
4. **Read to each other.** This simple practice slows you down and builds meaningful togetherness.

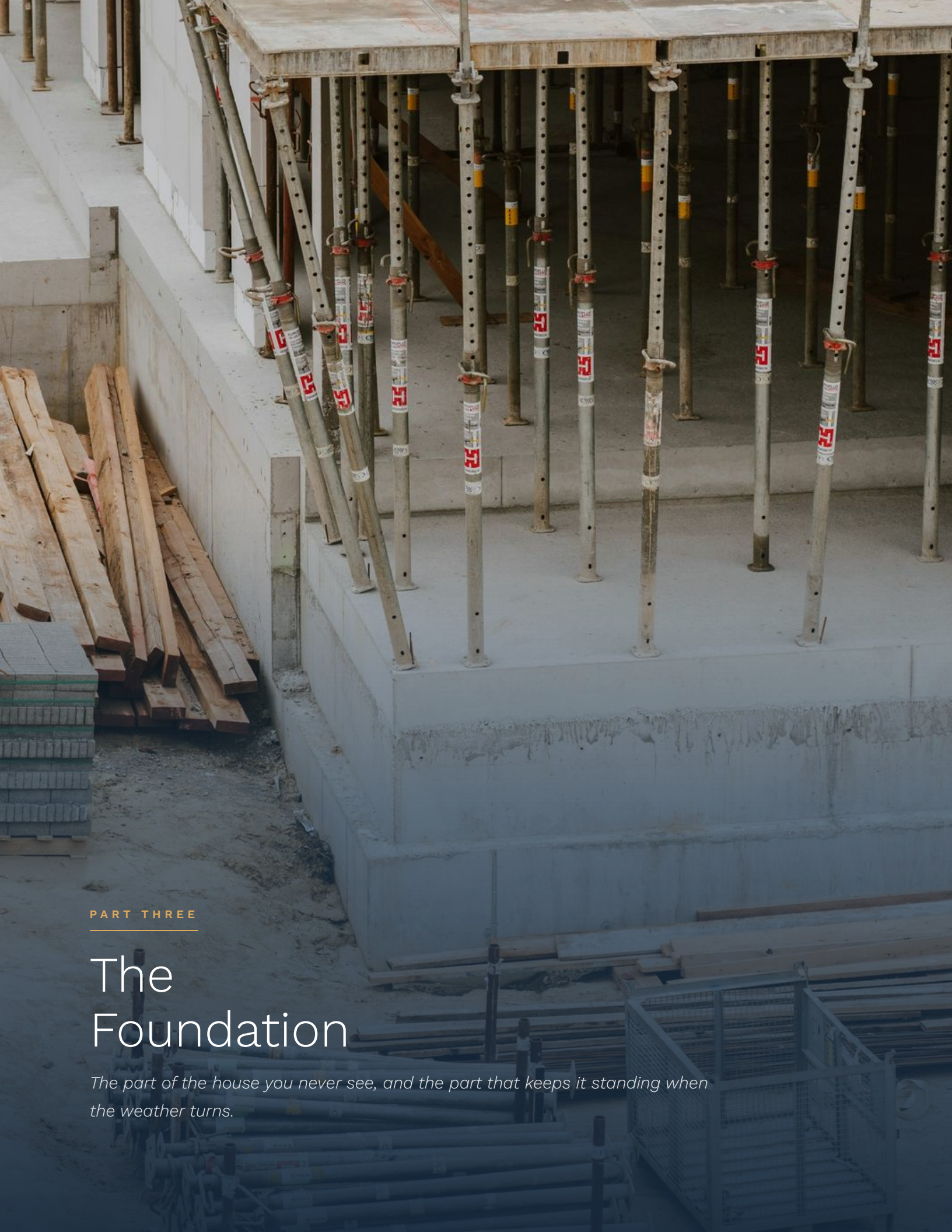
Three Questions to Revisit Every Year

- Which of the four AIRS feels strongest in our marriage?
- Which have we neglected?
- What is one thing we could commit to doing differently this week?

Where the Prenup Fits

Security is the one need couples can put in writing. A prenuptial agreement is financial honesty made practical: each of you knows what the other brings, what the other owes and what to expect. The rest of this guide explains how it works.

Habits adapted from "The Four Habits That Keep a Marriage Alive," robertson.ms/blog



PART THREE

The Foundation

The part of the house you never see, and the part that keeps it standing when the weather turns.

What a Prenup Is

A prenuptial agreement is a written contract signed before marriage. It sets out how property, debt and support will be handled if the marriage ends by divorce or death. Mississippi courts treat a prenup as a contract and give a properly crafted, fair agreement great weight.

Think of it as an operating agreement for your marriage. Business partners sign one to spell out each partner's rights and responsibilities. A prenup does the same for the wealth each of you brings into the marriage and the wealth you intend to build together.

> A prenup is not a prediction. It is a plan.

The Goal: Intentionality

The purpose of a prenup is to make sure what you intend is what happens. Without one, the legislature, case law and a chancellor decide. With one, you decide, together, while you are in love and unified. It takes the guesswork out.

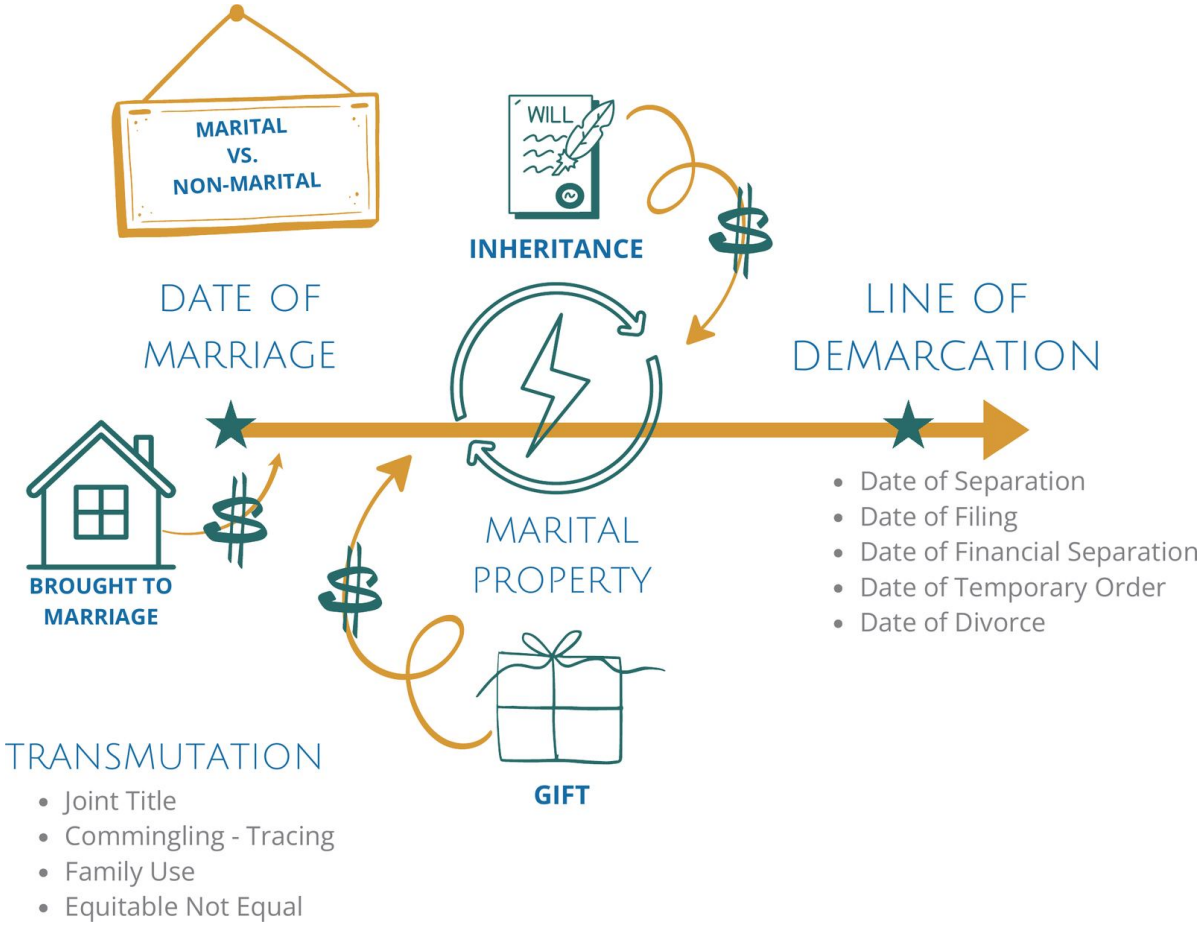
Who Should Consider One

- Anyone who owns a business, an interest in a family company or a professional practice
- Anyone with family wealth, a trust or an expected inheritance
- Couples entering a second marriage, especially with children from a prior relationship
- Couples with a significant difference in income or assets
- Anyone with significant retirement savings, deferred compensation or debt

How Mississippi Divides Property

Marital vs. Non-Marital

Marriage changes your legal status, and with it come rights, duties and responsibilities. The marital estate begins on your wedding day and ends at the line of demarcation, a date the court sets, such as separation, filing or divorce. Without a prenup, here is how it works.



Separate by Definition

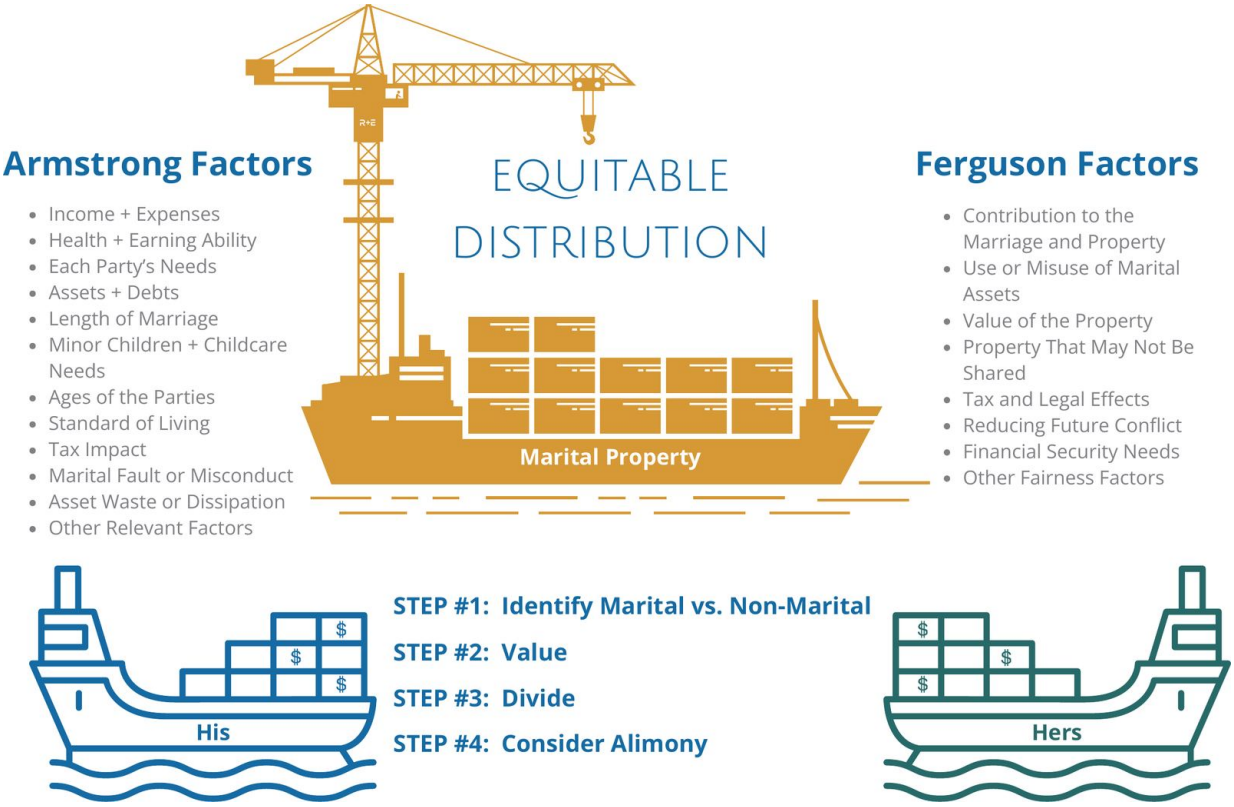
Property you bring into the marriage, gifts and inheritances start out as non-marital. Think in terms of energy: what you build with your work and time during the marriage is marital. A gift or inheritance took none of your marital energy.

How Separate Becomes Marital

Separate property can be transmuted into marital property through **joint title**, **commingling** (a gift deposited into a joint account) or **family use** (a camp the family uses every holiday).

Dividing the Marital Estate

Think of the marital estate as a cargo ship. In a divorce, the court's job is to unload the containers onto two new ships, his and hers. Only marital property is unloaded. Separate property never goes on the ship.



Mississippi chancellors follow four steps: identify what is marital, value it, divide it and then consider alimony. The Ferguson factors guide how property is divided, and the Armstrong factors guide alimony. Mississippi is an equitable distribution state, which means the division must be fair. Fair does not always mean equal.

With a Prenup

A prenup decides in advance what goes on the ship. Marital property is created only when you intend to create it, and the agreement tells the court how to unload it.

What a Prenup Can and Cannot Do

A prenup can address	A prenup cannot
Which property stays separate, including its income and growth	Decide child custody; the court always keeps authority over children
How a family business, practice or trust interest is treated	Decide child support
Responsibility for debts	Enforce terms a court finds unconscionable
Alimony: waived entirely, limited to a defined season, or intentionally not addressed	Control day-to-day personal conduct
How jointly owned property is divided	Replace a will; it works alongside one
Coordination with your estate plan and inheritance rights	

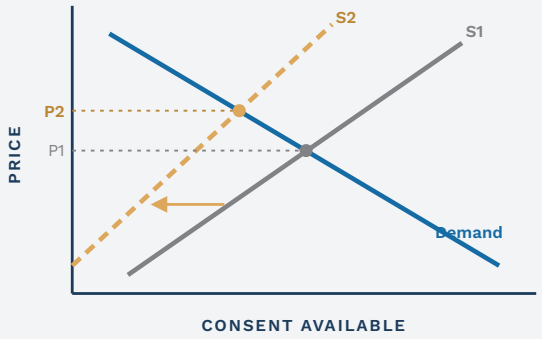
If You Move

A prenup is a private contract, and it travels with you. We draft it to apply wherever you live. If you make a new state your home, after about six months of residency, that state's courts usually gain jurisdiction over the marriage, and its laws govern custody, child support and anything else the agreement does not cover.

Do not choose where to live based on your prenup. A well-drafted agreement covers what matters most, wherever you land.

One More Mississippi Rule

Mississippi is one of the hardest states in the country to get divorced. Without the other party's consent or a legally recognized ground, such as adultery, there is no divorce. Sometimes this creates leverage: the spouse who does not want the divorce controls the supply, so the price goes up. A prenup settles the property questions in advance, so they are not part of that bargain.



What Makes a Prenup Hold Up

A prenup is only as strong as the process behind it. When an agreement is challenged, Mississippi courts look at two questions.

Was the Process Fair?

Did both parties have a real and equal opportunity to agree: time to review, their own lawyer, complete financial information and no pressure?

Are the Terms Fair?

The bar is high. A bad bargain alone is not enough. The terms must be so one-sided no reasonable person would accept them.

Where Prenups Fail

1. **Signed at the last minute.** An agreement presented days before the wedding invites a claim of duress.
2. **One lawyer, or no lawyer.** One attorney cannot represent both of you. Each party needs independent counsel.
3. **Incomplete disclosure.** Assets, debts and income left out of the exchange give the other side potential grounds to attack the contract's validity.
4. **Unclear drafting.** Vague language creates the type of disputes the prenup was meant to prevent.



Why It Matters Who Builds It

Every one of these failures is preventable. We are divorce lawyers. We see how prenups are attacked in the courtroom, which tells us exactly how to draft one to withstand a challenge.

Craig Robertson and Matthew Easterling are Board-Certified Family Law Specialists.



PART FOUR

Building It Right

Start early. Build it once. Build it to last.

How It Works at R+E

Every prenup follows the same basic path. We guide you through each step.

1. **Confidential Intake**
   Complete our intake form so we can run a conflict check.
2. **Consultation**
   We explain how Mississippi law works, learn your goals and design the structure with you.
3. **Financial Disclosure**
   Each of you completes a simple personal financial statement: what you own and what you owe.
4. **Drafting**
   We prepare a draft agreement we hope is 98% right, then we collaborate with you to make it 100% right.
5. **Review**
   Your fiancé(e)'s own attorney reviews the draft, and we negotiate, if necessary, in good faith.
6. **Signing**
   Well before the wedding, with no pressure. Sign it, put it in a drawer and hopefully never think about it again.

Start Early

Call us when you set a wedding date. Time protects the agreement.

Two Lawyers

We represent one of you. Your fiancé(e) needs independent counsel.

Flat Fee

We handle prenups for a flat fee, not by the hour.



Your First Meeting

What to Bring

- [ ] A list of assets and debts with approximate values
- [ ] Recent tax returns
- [ ] Business ownership documents
- [ ] Trust documents or details of expected inheritances
- [ ] Retirement and investment statements
- [ ] Any prior divorce judgment
- [ ] Your current will or estate plan

Questions We Will Explore

- What do you want to protect, and why?
- What do you want to build together?
- Should we consider spousal support?
- Is family involved through a business, trust or gift?
- Where do you plan to live?
- When is the wedding?



More From R+E

READING

When a Marriage Needs Room to Breathe

robertson.ms/blog

The Four Habits That Keep a Marriage Alive

robertson.ms/blog

Situationship

robertson.ms/blog

RESOURCES

Prenuptial Agreements in Mississippi

robertson.ms/prenuptial-agreements

Therapist Directory

robertson.ms/therapists

The Parenting Playbook

robertson.ms/the-parenting-playbook

PODCAST

The R+E Podcast

robertson.ms/podcast

Five-plus years of conversations on marriage, divorce, family, mental health, faith and recovery.



About Robertson + Easterling



Robertson + Easterling is a boutique Mississippi family law firm helping individuals and families navigate marriage, divorce, child custody, complex financial matters and the life transitions that come with them. We do not create unnecessary conflict. We tell the truth, even when it is difficult, and we work alongside our clients to make wise decisions for today and tomorrow. When a fight is necessary, we are ready. We are committed to educating Mississippi families through our podcast, blog, videos, free eBooks and a growing library of resources.

Disclaimer

This guide is offered as an educational resource and is for informational purposes only. It is not legal advice, does not create an attorney-client relationship and is not a substitute for advice from a licensed attorney who has evaluated your circumstances. Every situation depends on its own facts and the applicable law. Robertson + Easterling assumes no liability for decisions made based on this guide unless and until we formally represent you through a signed engagement agreement.

ROBERTSON
EASTERLING
DIVORCE AND FAMILY LAW

Build it once. Build it right.
Build it on solid ground.

Ready to start? We're here.

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