

7. Divorce § 11.40--Division of Property--Particular Cases When neither party had made sufficient information available to the court to justify the division of their respective retirement accounts, but it appeared that they had about the same amount in their funds, each party was entitled to retain his or her existing interest in his or her account. 16 V.I.C. § 109.

8. Divorce § 11.70--Division of Property--Types of Property Interests Most states hold that an educational degree is not marital property. Courts have consistently considered whether one spouse had postponed his or her own career and educational goals to support and contribute to the career and educational goals of the other spouse. They also acknowledge the injustice that occurs after a couple collectively works towards the attainment of an advanced educational degree or career goal, the expectation of a higher standard of living in the future can be frustrated by the dissolution of a marriage. **[**15]**

9. Divorce § 11.70--Division of Property--Types of Property Interests Many states have compared professional degrees to pension or retirement plans when establishing what constitutes marital property. Pension and retirement plans entitle an owner to a definite amount at a certain date, which an individual has a contractual right to receive. Professional degrees rely on uncertain future events and provide only an expectation of enhanced income. The value of a professional degree is speculative and dependent upon the attributes and future choices of its possessor to be fairly valued.

10. Divorce § 11.40--Division of Property--Particular Cases The wife's medical degree was not marital property subject to equitable distribution, as the husband had not been compelled to delay or relinquish his own education or goals, he offered no evidence with which to calculate the value of the degree, and he himself had an advanced degree. 16 V.I.C. § 109.

11. Marriage § 1.50--Generally--Definition and Nature The Virgin Islands has long viewed marriage as a partnership or joint venture, whereby both parties collaborate for a common purpose and contribute toward its success.

12. Divorce § 11.50--Division of Property--Power of Court The court has the authority to divide the personal property in divorce action even after a divorce decree has been issued. The trial court will be required to issue rulings on post-divorce ownership of personal property such as cars, boats, electronics, jewelry, shares of stock, bonds and monies deposited with financial institutions.

13. Divorce § 11.40--Division of Property--Particular Cases Although there was some evidence that the husband in a divorce case withdrew \$220,179.93 from his annuity between 2011 and 2012, there was no evidence that he deliberately destroyed, concealed or harmed the parties' property. The money was used to pay reasonable and necessary expenses, including expenses associated with his children's care, the marital homestead, businesses and living expenses; furthermore, the husband had been terminated from his employment and used his investments to support his obligations and standard of living.

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