

Judge Paul Burmaster Explains How Equity is Achieved When Splitting Assets in Divorce

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KANSAS CITY, KS, UNITED STATES, October 2, 2024 /EINPresswire.com/ -- When it comes to the intricate process of dividing assets and debts in a divorce, achieving equity is paramount. But how do courts ensure fairness in this delicate matter? Judge Paul W. Burmaster, a distinguished figure in the Family Division of the 10th Judicial District Court in Johnson County, Kansas, recently shed light on this complex issue.

Judge Burmaster, currently serving as the second most senior judge in the Family Division, boasts a diverse legal career spanning over two decades. Prior to his appointment to the bench in July 2019, he enjoyed a successful private practice, demonstrating versatility across criminal, civil, and juvenile cases. His commitment to upholding the rights of children and families has been a cornerstone of his judicial philosophy.



Judge Paul Burmaster

In a recent interview, Judge Burmaster revealed his approach to asset division, which might raise eyebrows at first. "I try to avoid it," he admits candidly. He emphasizes that parties involved in a divorce are often best equipped to determine the fate of their assets and debts, given their intimate knowledge of the situation. However, if consensus proves elusive, Judge Burmaster steps in to make the tough decisions, albeit with a caveat: "They likely will have some regrets about that."

In cases where agreement remains elusive, Judge Burmaster meticulously weighs the evidence presented to reach a decision that is fair, just, and equitable. He underscores the importance of reasonableness, as it serves as the standard by which divorce rulings are scrutinized on appeal. "Absolute equality would be impossible," Judge Burmaster explains, citing the emotional attachment individuals have to their possessions, which complicates the valuation process.

To facilitate a comprehensive assessment of assets and debts, Judge Burmaster encourages parties to prepare detailed spreadsheets outlining all relevant financial aspects. This not only streamlines the decision-making process but also ensures that both parties are fully aware of what is at stake, often paving the way for mutual agreement.

Addressing the treatment of debts, Judge Burmaster notes that joint debts are typically shared liabilities, regardless of individual ownership. However, exceptions exist, such as student debt, which may remain with the party who accrued it due to its direct benefit.

Despite the intricacies involved, Judge Burmaster emphasizes the importance of seeking legal counsel to navigate the complexities of divorce proceedings effectively. "Court isn't a game, but like a game, there are rules," he advises. With years of education and practice under their belts, experienced attorneys can provide invaluable guidance to individuals facing significant stakes in divorce proceedings.

In conclusion, [Judge Paul Burmaster](#)'s insights underscore the complex nature of asset division in divorce proceedings. By prioritizing equity and reasonableness, and with the assistance of legal counsel, parties can navigate this challenging terrain with greater clarity and fairness. To him, it is not just about splitting assets but also ensuring that the process is fair to all parties involved. This includes the children who may suddenly have to live without certain material things they have been used to all their lives.

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