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Ask Amy

## A prenuptial agreement protects assets of the husband and wife

Amy Dickinson

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Dear Amy: I am 57, and my fiance is 51. We have been engaged for nearly three years. The reason for this long engagement is that her daughter is going to school and her scholarship package is tied to her mother's income. Her daughter will graduate next spring.

I have a "nest egg" that consists of retirement accounts, home equity and a few other savings vehicles. My fiance does not have a "nest egg." I have asked her to sign a prenup, which would protect my assets in case the marriage did not work out. She is dead set against it, claiming I don't trust her and that I am questioning our love.

I have also completed a will in which I've left two-thirds of my estate to her and the other one-third to my daughter. I have no problem combining our incomes from this day on (I make more, but she has a good income.)

I understand the emotional challenge this is for her, but wouldn't you agree that this is not an unreasonable request?

We have had some bitter arguments regarding this.

What are your thoughts?

-- Future Husband

Dear Husband: When it came to postponing the marriage for the sake of keeping her income lower and getting scholarship money, your fiance proved plenty savvy, but when it comes to your making choices for the sake of protecting the assets you built up over your career, she is quite the romantic.

I agree that you should have a prenuptial agreement. Presumably, you will use the nest egg for financing your lives together in retirement -- not for your use alone. In your conversations, you and your fiance should take an objective look at your assets with the goal of growing them for your future. You should also agree on an amount that would remain yours if the marriage ended.

You don't say why your fiance doesn't have her own nest egg, but a prenup will protect her assets too.

With your combined incomes and without college bills, your fiance should be able to save aggressively.

Together you should read "Prenups for Lovers: A Romantic Guide to Prenuptial Agreements," by Arlene Dubin (2001, Villard). Dubin shows how the best prenups benefit both parties.