

Pre-marital contracts foresee pitfalls

By CAROLYN BEAVER
Of the Emerald

Settlements drawn before split

Even though not many people use them yet, Chuch Spinner, attorney at the Office of Student Advocacy, suggests couples consider marriage also consider pre-marital contracts.

A pre-marital contract, Spinner says, looks down the road and says "in the event that things don't work out, here's what will happen."

"People don't use them for the same reason a lot of contracts of this nature aren't common," says Spinner. "People are not used to looking at things negatively."

Contracts can make settlements clear should there be a divorce, so the "emotional trauma" associated with the split doesn't

get carried into the property settlement, he says.

Some contracts stipulate that property brought into the marriage by an individual should remain with that person if the marriage dissolves. Some also distinguished between property acquired during the marriage by either individual or the couple and stipulated how they should be divided.

Alimony is another topic contracts can address. A couple may decide to waive alimony, unless special circumstances arise and one party cannot support himself or herself.

Spinner likes to include what he calls a "catch-all provision," which decides how arguments that wouldn't be covered in the contract should be settled. A husband and wife might even decide to bring in a state mediator, which Oregon statutes provide.

"It's a matter of foreseeing everything you can and even foreseeing things you can't," says Spinner. It removes the "fight" from divorce settlements, he says.

"People get unreasonable when they're angry or hurt," comments Spinner. "It's better to talk things out and make decisions

when you're still friends"

Spinner isn't sure how the courts view marriage contracts. He says because there have been so few contracts, the courts really haven't had to deal with them.

He does say, however, that courts would not condone something in a contract that "clearly was not fair." Divorces are handled on the "equity" not "law" side of the courts, says Spinner.

At least it gives the courts "an idea of where these people's heads were at when they were level-headed about the whole thing," he says.

Most of the time, the courts would not have problems with marriage contracts because they're "arms-length transactions," Spinner says, adding arms-length transactions give both parties equal bargaining power.

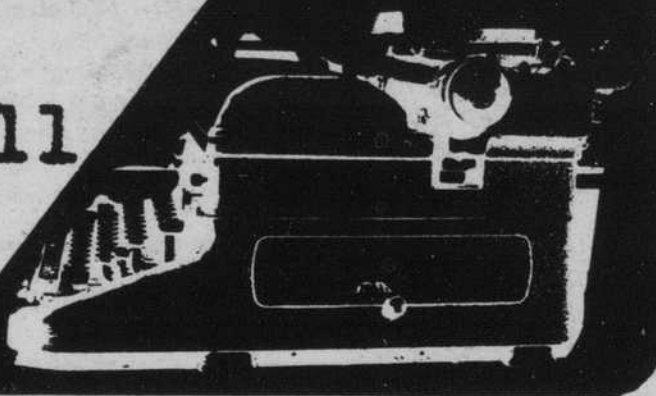
Although it's a "total guesstimate," Spinner thinks the kind of people who draw up pre-marital contracts have a much lower divorce rate. "They're obviously thinking about what they're doing."

Spinner cites a couple he knows who drew up a contract before they were married.

"They're still married after five years and not thinking about getting a divorce. How often does that happen?"

A Typewriter Warmed In Hell

By JOCK HATFIELD
Of the Emerald



When ESCAPE student volunteers go out into the community, there is a mass desire to commit suicide. No one knows why the ESCAPE program draws this type of a person, but it works better than a fly trap.

We recently sent a spy into the organization to figure out its methods of brainwashing. He made the following report.

"I infiltrated the organization by going to the ESCAPE desk and volunteering to be a friend to the

old farts. They sent me to an adjustment seminar.

"This was no ordinary seminar. We were told to think of five

hundred items. The other students came up with "star, grass, bird, wonderbread and rose." I put together corrugated iron, fast food, igloo, bricks and tampons.

"I could see they were beginning to suspect something. They told me to kill a mouse with these

five items.

"I hit the mouse over the head with an igloo and considered the matter finished. But the group leader would have none of it. She said I should use all five items on my mouse to increase my creativity. I pointed out that my mouse was dead and deserved to be left in peace. I was given another mouse and told to be more devious with my murder, so I wouldn't run out of mouse before I had thrown in all my items.

"I killed that mouse all night. I igloored it to death. I stuffed it with bricks and fast food. I smothered it in tampons. And still the ESCAPISTS wouldn't give up. Finally I said I refused to kill my mouse any more. I had had enough practice and was ready to try out my methods on the old people.

"Next we delved into death. This group was fun to be with. They passed out sheets with sentences to be completed such as "After I die..." I didn't want to book myself up too far in advance. But the ESCAPISTS had a full calendar. They planned to be floating around, viewing video tapes of their former lives and having a high old time. Their philosophical dilemma was why they should not commit suicide right away and get in on the fun. I said I would be glad to help them.

"I went on to tell them some death jokes. I told them the one about the blind guy who last month entered an elevator on the fourth floor of a building, only to discover it wasn't there.

"The elevator door had made a mistake and opened without an elevator. It seems they keep spikes at the bottom of elevator shafts to catch blind guys who drop in. It took four hours to extract him.

"After I finished laughing about this, I looked around and discovered I had blown my cover. All six of the group were sitting around looking as though they had just been impaled.

"They accused me of being a spy and threw me out."

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