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Bibliogov, United States, 2013. Paperback. Condition: New. Language: English . Brand New Book ***** Print on Demand *****. In 1981, the Supreme Court ruled that the former spouse of a military member or retiree could not be awarded any share of that member s/retiree s retired pay as a part of a divorce property settlement in a community property state. In response, Congress enacted the Uniformed Services Former Spouses Protection Act (USFSPA) in 1982. Under the USFSPA, state courts can treat disposable military retired pay as divisible property in divorce cases. In addition, certain former spouses would remain eligible to receive certain military benefits or privileges. The USFSPA has since been modified on a number of occasions. The USFSPA allows for disposable military retired pay to be divided as part of a divorce settlement. The law makes no assumption of such a division nor does it presume how much of a division should be made. However, state laws may vary on these concepts. In addition, the USFSPA allows for certain military benefits to be awarded to qualifying former spouse. These include health care benefits and commissary/exchange privileges. Confusion exists over the distinction of disposable versus total retired pay. The use of disposable retired pay may have implications in terms of taxes withheld and taxes paid. In addition, recent changes in .

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