



## Community Property States

The following states are currently considered to be community property states:

- Arizona
- California
- Idaho
- Louisiana
- Nevada
- New Mexico
- Texas
- Washington
- Wisconsin

Additionally, **Alaska** does allow couples to opt into a community property arrangement; property is separate property unless both parties agree to make it community property through a community property agreement or a community property trust.

In general, if property is held as community property, each spouse technically owns an undivided one-half interest in the property. This type of ownership applies to most property acquired by each spouse during the course of the marriage. It generally does not apply to property acquired prior to the marriage or to property acquired by gift or inheritance during the marriage. After a divorce, community property is divided equally in some states and according to the discretion of the court in the other states.

It is extremely important to bear in mind that there are no two community property states with exactly the same laws on the subject. The statutes or judicial decisions in one state may be completely opposite to those of another state on a particular legal issue.