

Glee Actress Jane Lynch Pays Big-Time For Divorce

Written by Christina Tetreault



Established actress Jane Lynch and her wife recently divorced. However, it didn't come easy, nor cheap. According to TMZ, Lynch's wife Lara Embry, will receive \$1.2 million spaced over a 2-year period from her recent ex-wife. We all know that's not any small chunk of change.

Laura also gets much more than the initial lump sum: half of several bank and trust accounts, totaling \$847,485, half of a 401K totaling \$315,079, half of the proceeds from their Mullholland Tennis Club membership, half of all royalties from Jane's TV appearances, including "Glee", half of their \$56,810 tax refund, their L.A. Yacht club membership, and their dog Francis.

Now that same-sex marriage is legal in the state of Arizona, we want to know, how is it decided who has to pay more when settling a divorce? Does it have to do with the person who made more money? Is the length of the former marriage a factor?

We touched base with [Kaine Fisher](#), local attorney and Chairman of the Family Law Department at [Rose Law Group](#), and asked him to weigh in on high profile celebrity divorce settlement.

"Same-sex couples in Arizona can now breathe a sigh of relief. It has finally happened - same-sex marriage is permissible in the Wild West. By the hundreds, same-sex couples are flocking to churches, courthouses, 5-star desert resorts, rooftops, backyards, and hell, even into the middle of the street to get married before someone changes their mind. As it should be if you ask me. It's about time two men or two women, who truly love and care for one another, can share in the same benefits that traditional married couples have enjoyed for centuries.

But hold the wedding bells. At the risk of sounding like a drag, where there is marriage there is divorce. Forgive me. I've been practicing law in the area of high-conflict, high-asset divorce for far too long to see the silver lining in things. Unfortunately, it is inevitable that some of these new marriages won't make it for whatever reason. Just ask Jane Lynch or Lara Embry.

The cost for a marriage license is pale in comparison to going through a contentious divorce. Most people have heard this tasteless joke before at a cookout or around the water cooler - but it's absolutely true. Even if you account for some of the astronomical costs some folks choose to spend on their wedding, I still think the total expense is not even close. Divorce is a world I live in (although hopefully not in my personal life) and it is something same-sex couples must take a step back and consider before letting the joy of the recent court decision cloud their judgment.

There is a lot of work left to be done in Arizona. Many laws will need to be re-written in light of the end of Arizona's ban on same-sex marriage. For instance, Arizona's adoption laws need to catch up. Although same-sex couples have been permitted to adopt in this state prior to the recent ruling, the law still gave a preference to a married "man" and "woman." Further, the relationship between a "husband" and a "wife" is what is required to file a joint state tax return. The Windsor decision last summer has alleviated certain federal financial issues for same-sex couples, but for a state like Arizona who just recently came to its senses, it may be some time before all of the wrinkles are ironed out to create consistency across the state when Judges set out to divorce same-sex couples.

Although the landscape in Arizona is a bit uncharted, what is certain is that an Arizona court will now have the ability to divorce same-sex couples. There are other things we can count on as family law practitioners as well. Assuming a same-sex couple has adopted, the current law pertaining to legal decision-making, parenting time, and child support would seem to apply, with perhaps the exception of some housekeeping language revisions. The division of the same-sex couple's assets and debts would also seem to be consistent with the way things are handled in traditional divorce cases and I don't anticipate the need for a change to the existing attorney's fees provisions. Also, as seemed to be a prevailing issue in the Lynch/Embry divorce, I don't see how a determination of spousal maintenance (alimony in some states) would change either. All of the relevant considerations, such as the duration of the marriage, the ability of the payer spouse to pay spousal maintenance and sustain his/her own reasonable needs, the reasonable needs of the requesting spouse, and the standard of living enjoyed by the couple, will be taken into account by the court in determining the amount and duration of a maintenance award.

*I see nothing unusual about the Lynch/Embry outcome. The sex of the parties had nothing to do with the gaudy amount of assets Lara Embry received. **The property acquired during marriage is usually divided equally regardless of who earned it and regardless of the sex of the parties.** That's just the way it goes. Jane Lynch has had a successful career and my understanding is that the couple has been married for some time. So as far as spousal maintenance goes, you might see the same result if a professional athlete or movie star was divorcing his stay-at-home wife. The same-sex "breadwinner" generally does have to give up half and indeed your divorce may still cost you a fortune."*

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