

# WEST VIRGINIA CODE: §48-6-101

## PART I. DEFINITIONS.

### §48-6-101. Property settlement or separation agreement defined.

(a) "Property settlement or separation agreement" means a written agreement between a husband and wife whereby they agree to live separate and apart from each other. A separation agreement may also:

- (1) Settle the property rights of the parties;
  - (2) Provide for child support;
  - (3) Provide for the allocation of custodial responsibility and the determination of decision-making responsibility for the children of the parties;
  - (4) Provide for the payment or waiver of spousal support by either party; or
  - (5) Otherwise settle and compromise issues arising from the marital rights and obligations of the parties.
- (b) To the extent that an antenuptial agreement affects the property rights of the parties or the disposition of property after an annulment of the marriage or after a divorce or separation of the parties, the antenuptial agreement is a separation agreement.