

Understanding Financial Coercion in Family Law Cases

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Representing a financially dependent spouse in a family law case often involves more than simply litigating support or property division. In many cases, the dependent spouse may also be experiencing financial coercion, which is a form of control in which one party uses money, access to resources, or economic pressure to dominate or manipulate the other spouse during the marriage or throughout the litigation process.

Common Forms of Financial Control in Marriage

Financial coercion can take many forms. One spouse may control all bank accounts, restrict access to funds, monitor spending, cancel credit cards, refuse to provide financial information, provide limited spending budgets, or threaten to stop paying household expenses unless certain demands are met. In some situations, the dependent spouse may have little knowledge of the family's finances because the other spouse historically managed all income, investments, taxes, and accounts.

Legal Challenges Faced by Financially Dependent Spouses

These dynamics can place the dependent spouse at a severe disadvantage during divorce litigation. A spouse without access to money may struggle to retain counsel, secure housing, pay experts, or even meet daily living expenses while the case is pending. Fear of financial instability can also pressure a dependent spouse into accepting unfair settlement terms.

How Courts Address Economic Imbalance During Divorce

Family law courts increasingly recognize that economic control can affect the fairness of the litigation process itself. Requests for pendente lite support, attorney's fees, temporary use and possession of the marital home, and orders requiring financial disclosures may become critical tools in leveling the playing field. Early intervention is often essential to stabilize the dependent spouse financially before meaningful negotiations can occur.

Importance of Financial Documentation and Evidence

Documentation is particularly important in these cases. Bank records, account access history, spending restrictions, hidden assets, sudden transfers of funds, and communications involving financial threats may all become relevant evidence. Attorneys may also need to work closely with forensic accountants or financial experts when there are concerns about concealed income, business manipulation, or dissipation of assets.

Emotional and Psychological Impact of Financial Coercion

Beyond the legal and financial issues, financial coercion frequently has a significant emotional and psychological impact. Many

dependent spouses experience anxiety, fear, embarrassment, or a lack of confidence in making financial decisions independently. Effective representation often requires patience, education, and helping the client regain a sense of stability and autonomy throughout the litigation process.

Advocating for Fairness and Financial Independence

Ultimately, representing a financially dependent spouse involves more than seeking support payments or dividing assets. It often requires addressing an imbalance of power that has existed throughout the relationship and ensuring that the dependent spouse has a fair opportunity to participate in the legal process and rebuild financial independence moving forward.