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Cryptocurrency Complicates Splitting Assets During a Divorce



Yaël Bizouati-Kennedy

June 3, 2021 · 4 min read



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In a sign of the times, a new issue is facing Americans who are starting divorce proceedings: Who gets to keep the cryptos? While common issues such as splitting assets and houses, child custody and even pet custody, can already be complicated, [adding cryptos to the mix](#) is an increasing concern and makes the situation thornier.

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14% of the U.S. population owns cryptocurrency, translating to 21.2 million U.S. adults who own cryptocurrency. And as investing and owning cryptocurrency is becoming more common, the issue of properly distributing this marital asset when parties divorce is becoming more prevalent, Sandra Radna, divorce lawyer and author of "You're Getting Divorced... Now What?: The Ultimate Divorce Court Guide," tells GOBankingRates.

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Radna explains that the first step is to know whether there was an investment in cryptocurrency during the marriage.

"If you don't know for sure, it may be enough to suspect crypto assets if there is a smaller amount of assets than expected when the income of the parties is high," Radna says. A divorce attorney will know what to do to obtain the information that a forensic accountant or forensic computer analyst would need to confirm the crypto marital asset, she adds.

See: [Divorced in Retirement? 20 Ways to Maintain Your Financial Independence](#)

Find: [Can I Buy Crypto With a Credit Card?](#)

"For example, the attorney, can secure the computer hard drive, bank and credit card statements, tax returns, loan applications, and request paper wallets, software wallets and hardware wallets, all of which may contain proof of crypto investments and assets through the court system. The divorce attorney may also subpoena exchanges — such as Coinbase or Binance — if the exchange is located in the U.S."

Radna argues that the important thing to remember is that even if a spouse claims they no longer own crypto, the

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