Should Post-Separation Financial Orders Promote Public Goods? A Court's Dilemma

—Anshul Dalmia*

Financial Orders are Court-drawn reliefs when there is disagreement between partners on the division of finances. The paper seeks to answer a normative question, which is whether these financial orders should be judicially framed in a manner which actively promotes public goods. Public goods in this context have been understood to mean fairness, equality, and autonomy. This article is a philosophical justification and theoretical investigation into the role of financial orders vis-à-vis the advancement of these public goods. The paper first invariably addresses and examines the assumption as to the efficiency of financial orders as tools and Courts as efficient forums to promote public goods. I argue that the inherent design of the financial orders hinders the promotion of public goods. Moreover, market inequalities, undervaluation in workplaces, and socio-economic disadvantages have perpetuated true marginalisation, and a judicial remedy would not be competent to redress these structural changes. However, drawing from theories of relational vulnerability and ethics of care, I assess and emphasise the need for the Courts to encourage the promotion of these goods. Using three specific examples, I showcase the methodologies and pathologies of the promotion of equality as a public good by the Courts. Lastly, I conclude with the understanding that the attainment of public goods should not be the ultimate objective of financial orders. Careful consideration ought to be provided to the temporality of autonomy and its skewed linear nature. Financial orders conceptualise the 'legal subject' to transition seamlessly to an 'open future', unrestricted by the obligations arising from the marriage—a statement which might not be true for several partners in such relationships.

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I. Introduction

Scholars worldwide have been conflicted on whether courts seek to advance public goods when determining financial orders for adult relationships. Herring argues that post-separation financial orders must be unfair since they usually reflect the skewed discriminatory norms underlying marital relationships.[1] Deech, on the other hand, contends that financial orders capture women within the cyclical trap of care since they do not adequately empower them to restart their post-divorce lives.[2] However, this understanding is premised on the dual assumption that first, Courts could promote public goods through financial orders; and second, that these orders are practical tools in doing so. I seek to challenge this theorisation.

It becomes imperative to tether the seemingly ambiguous meaning of public goods. This term within family law scholarship usually indicates communitarian social dimensions that are universally accepted to fulfil larger public objectives such as ensuring fairness, maintaining equality, and promoting autonomy.[3] However, specifically with respect to financial orders, public goods have mainly revolved around varying understandings of egalitarianism and equality.[4]

Moreover, these financial orders are provided at the end of 'adult relationships', which in this paper is understood to mean both *de jure* relationships, such as marriages/civil partnerships and *de facto* relationships such as live-in relationships. I navigate the intricacies of effectuating public goods through relationships.

Through this paper, I seek to, *firstly*, examine whether financial orders can be effective tools and serve as efficient forums to promote public goods; *secondly*, investigate the need of the Courts to achieve these goods and the general objectives sought; *thirdly*, evaluate the Court's ability to promote equality between the parties while designing the orders; and *fourthly*, conclusively provide a normative answer on the role of the Courts.

Lastly, I would want to preface this note by stating that this paper seeks to be a philosophical justification and theoretical investigation into the role of financial orders vis-à-vis the advancement of public goods. This paper uses statutes and judgments, mainly from the United Kingdom, to indicate the current trends

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1 Jonathan Herring, 'Why Financial Orders on Divorce Should be Unfair' (2005) 19 International Journal of Law, Policy and the Family 226.

2 Ruth Deech, 'What's a Woman Worth?' (2009) 39(12) Family Law 1140.

3 Alison Diduck, 'Public Norms and Private Lives: Rights, Fairness and Family Law' in Julie A Wallbank, Shazia Choudhry and Jonathan Herring (eds), *Rights, Gender and Family Law* (Routledge 2009) 199-218.

4 Lisa Glennon, 'The Limitations of Equality Discourses on the Contours of Intimate Obligations' in Julie A Wallbank, Shazia Choudhry and Jonathan Herring (eds), *Rights, Gender and Family Law* (Routledge 2009) 175-177.

within judicial interpretation and identify subsequent problems. The dilemma of the Courts to consider public goods while determining financial orders has been much more pronounced and starker in the United Kingdom due to a multitude of reasons. Firstly, due to the design of statutory regulation; secondly, the skewed judicial jurisprudence; and lastly, the presence of several forms of relationships ranging from civil partnership to cohabitation. I aim to theorise existing scholarship in order to answer one pressing question: should Courts strive to provide for public goods when determining post-divorce finances between couples?

II. Financial Orders: Do Empty Vessels Make the Most Noise?

In this part, I attempt to deconstruct and challenge the assumptions[5] on which the question of Courts promoting public goods through their orders and their efficacy is premised.

A. Beyond the Private-Public Divide

I contend that the Courts cannot promote public goods through financial orders. First, I rely on Ferguson's conceptualisation of inter-personal obligations[6] and question the duty of 'promoting public goods' being imposed on private parties by the Courts. I argue that this judicial responsibility masks the positive obligations of the State.

Ferguson argues that financial orders are remedies for a breakdown of personal relationships and should be limited to solely remedy the breakdown. Hence, they must be contextualised within the private space, without any consideration of other additional social inequalities.[7] While the feminisation of poverty is acknowledged, she vehemently argues against placing financial obligations on the former spouse.[8] Eekelaar counter-argues by highlighting the limited nature of the spouse's obligation, i.e., the former partner is remedying the inequality caused due to their collective action and not of the entire disadvantaged group.[9]

In response, I contend that the need for the Courts to promote public goods arises from a partisan understanding of liability and its attribution to the incorrect actor. While women are in bad financial conditions, broader

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5 Anshul Dalmia, 'Financial Orders on Divorce: Should it Not Be a Win-Win Situation?' <https://virtuositylegal.com/financial-orders-on-divorce-should-it-not-be-a-win-win-situation/> accessed 19 August 2025.

6 Lucinda Ferguson, 'Family, Social Inequalities, and the Persuasive Force of Interpersonal Obligation' (2008) 22 International Journal of Law, Policy and the Family 61–91.

7 ibid 82.

8 ibid 83.

9 John Eekelaar, *Family Law and Personal Life* (OUP 2006) 52.

social maladies such as market inequalities, undervaluation in workplaces, and socio-economic disadvantages perpetuate true marginalisation.[10] An effective solution, thus, should not be the imposition of a judicial duty since such structural changes should not be combated by impoverished spouses. Instead, the courts should aim to shift the onus of addressing marginalisation onto the State.

B. Flaws in the Inherent Design

I argue that these orders are inefficient mechanisms in achieving public goods since they are products of extreme judicial discretion based on unsettled premises. For instance, the presence of vague terms in the statute, as well as the cases, have not been able to fix any meanings in stone. Moreover, these orders are incapable of combating gender-based poverty as they permit the continuation of patriarchal subordination. Additionally, the inherent design of these orders themselves acts as barriers. All of these arguments are explored in greater detail below with the accompanying context.

Firstly, judicial adjudication of property matters vis-à-vis family law has been aptly described as that of a bus driver. While a large number of instructions and the authority to drive have been provided, the destination has been conveniently left out.[11] For example, Section 25 of the Matrimonial Causes Act 1973 includes a list of non-exhaustive factors[12], with no singular objective[13] being provided. This logically indicates that wide discretion could be used. Hence, any attempts to reform the law will be an incomplete task since each post-separation case would warrant a judicial application of mind considering the individual facts and circumstances.

In *White v White*, while the Court stated that fairness has to be the pivotal factor, it did not provide any guidance on whether 'fairness' in this context meant either the judges' objective examination or the parties' subjective analysis.[14] This has led to considerable confusion. In these cases,[15] the Courts used qualified terms such as 'reasonableness', 'needs', 'compensation' or 'wants', which warrant a discretionary judicial assessment.[16] I argue that while broad discretion has allowed Courts to rely on pragmatism as compared to individualistic familial idiosyncrasies,[17] it has also provided a vehicle for the Court to drive in its paternalistic perspectives. For example, in *Stack v Dowden ('Stack')*, the Court refused to extend

[10] Ferguson (n 6) 74.
[11] Ruth Deech, 'Divorce and Money: The UK Law in the 21st Century' in Eekelaar (ed), *Family Law in Britain and America in the New Century* (Brill 2016) 35.
[12] Matrimonial Causes Act 1973, §25.
[13] *Co v Co* 2004 EWHC 287.
[14] *White v White* (2001) 1 AC 596 : (2000) 3 WLR 1571 : 2000 UKHL 54, ¶8.
[15] *Miller v Miller* (2006) 2 AC 618 : 2006 UKHL 24, ¶4.
[16] Diduck (n 3).
[17] ibid 203.

the remedy of financial orders to a cohabiting couple since 'marriage' was the heart of family law.[18] Thus, wide discretion could both obstruct the consideration of public goods and impose an orthodox alternative.

Furthermore, judicial promotion of public goods encourages the Court to locate discretionary external social values to justify personal disputes.[19] I argue that such an encouragement might lead to the skewed privatisation of public goods, which would evoke disastrous consequences. In *Stack*, the Court observed that the provision of financial orders would violate the autonomous choice of the parties to remain unmarried as principles of family law became inapplicable due to their quasi-familial status.[20] I argue that an encouragement to include public goods would allow the Court to de-link the remedy of financial order with the functional form of a relationship. The Court, in light of promoting equality disguised as a public good, could disregard the choice of cohabitation and impose an unsuitable remedy. Thus, I contend that such discretion would lead to privatised solutions (as depicted by the *Stack* example) being used as a response to imperative social functions of a relationship.

Secondly, financial orders reflect and consistently apply the norms that underlie the relationship.[21] In most heterosexual relationships, the burden of the care-work is skewed against the woman.[22] It's highly likely that the financial order, rather than remedying this dynamic, would cursorily provide for child support. I argue that this would ensure a cyclical trap rather than an escape. While it might be counter-argued that such financial remedies recognise and value care-work,[23] I posit that the choice of continuing care-work must be autonomous. The continuity of carrying the domestic burden must not be merely assumed and judicially thrust through these orders.

Thirdly, the inherent design of these orders acts as an efficiency barrier. Since these orders are provided at the end of a relationship, they are unequipped to capture any financial issues faced by people through the course of the relationship.[24] I contend that they are imperfect instruments in achieving public goods since they would be unable to respond to larger social objectives due to their narrow conceptualisation. Additionally, these orders are advantageous solely if there are assets to be divided in the first place.[25] While I recognise that the impact of

[18] *Stack v Dowden* (2007) 2 AC 432 : (2007) 2 WLR 831 : 2007 UKHL 17, ¶132.
[19] Glennon (n 4).
[20] Stack (n 18), ¶¶68–70.
[21] Herring (n 1).
[22] Patrick Parkinson, 'Quantifying the Homemaker Contribution in Family Property Law' (2003) 31(1) Federal Law Review 1.
[23] Jonathan Herring, *Caring and the Law* (Hart 2013) 208.
[24] Gillian Douglas, *Obligation and Commitment in Family Law* (Hart 2018).
[25] Herring (n 1) 210.

negligible assets and meagre financial resources[26] is most likely felt by couples with longer relationships, I argue that due to these limitations, the orders are not the most appropriate tools to channel public goods.

Thus, since these orders are streaked with both institutional and structural barriers, they become ineffective tools in assisting the Court to promote public goods.

III. The Missing Piece in the Puzzle of 'Could' and 'Should'

While in the above part, I have attempted to challenge the underlying assumption, in this part, I engage with the spirit of the question itself. Why should the Courts even promote such goods in the first place, and what are the objectives they want to achieve?

A. Scratching Beneath the Surface

Fineman argues that everyone is universally vulnerable and deserves protection.[27] Herring, while recognising that humans are relational beings, i.e., their role and position in society are influenced by people around them, has highlighted the emergence of a specific kind of relational vulnerability.[28] Relational vulnerability re-imagines the autonomous legal identity as a vulnerable subject due to their unequal gendered roles within the social construction of a family.[29] Members who provide care-work are vulnerable[30] due to the relationships around them and their exposure to economic, psychological, and spatial harms.[31]

I argue that, despite the Courts' inability to promote public goods vis-à-vis financial orders as depicted in Part I, an 'ethics of care' approach dictates the imperative need for the Court to do so and becomes the objective it should strive to achieve. I seek to elaborate below on the need to shift from the 'cannot' to a 'should'.

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[26] Chris Barton and Alistair Bissett-Johnson, 'The Declining Number of Ancillary Relief Orders' (2000) 30 Family Law 94.

[27] Martha Fineman, *The Autonomy Myth: A Theory of Dependency* (New Press 2004).

[28] Jonathan Herring, *Law and the Relational Self* (CUP 2019) 100.

[29] Jonathan Herring, *Vulnerable Adults and the Law* (OUP 2016) 24.

[30] Jonathan Herring, *Law Through the Life Course* (Bristol University Press 2021) 139.

[31] Ellen Gordon-Bouvier, 'Relational Vulnerability: Economic, Psychological, Spatial' in *Relational Vulnerability: Theory, Law and the Private Family* (Springer International Publishing 2020) 51–79.

B. Ethics of Care: The Means, the End, or Both?

Through this part, I contend that the importance of valuing care and reducing vulnerability is 'both the means and the end', i.e., care should be the reason for promoting public goods and one of the public goods being promoted.

Firstly, financial orders were conceptualised as remedies to recognise and provide for the effort, time and work during the couple's shared commitment.[32] It is argued that if care-work is recognised financially, it will be much more likely to be adopted.[33] Moreover, the quality of care will be accentuated by this financial recognition. Thus, financial remedies make an excellent encouragement mechanism for parties to take up care-work and impact the decisions made by the couple vis-à-vis the burden of care.

Secondly, I argue that considering care-work as a common good while passing financial orders might enable the Court to equalise the burden of childcare[34] that is usually imposed on women.[35] Deech argues that financial orders must be abolished completely since women would be coerced into looking for other work, which would equalise the burden of childcare.[36] I alternatively contend that if care-work is financially provided for, women could care for their children without any monetary repercussions, and even fathers would be encouraged to participate in childcare activities.

Thirdly, the inclusion of care work as a public good would ensure that dependency work amongst the cohabitation couple would have significant value attributed to it. The Court in *Stack* asserted that an implied common intent to share either asset beneficially would arise only if 'direct' financial contributions had been made.[37] Hence, negating the inclusion of dependency or domestic care-work[38] as contributions. I argue that considering care would address the gendered dimension of family law and truly empower women to choose care-work as their domestic role.

It can be counter-argued that regulating care-work through these orders robs the activities of their true essence, which comes from a place of genuine love and support. However, the suggested paradigm might not hold true specifically in the instances of couples being on extreme ends of the economic spectrum. Would this mean that the care-work provided by a rich woman with assistance is much

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32 Herring (n 1).
33 Herring (n 28).
34 *Murphy v Murphy* 2014 EWHC 2263 (Fam).
35 Herring (n 1) 220-224.
36 Deech (n 2).
37 Stack (n 18), ¶44.
38 Fae Sinead Garland, 'Valuing Domestic Contributions: A Search for a Solution for Family Law' (2014) 42.

more valuable than that of a poor woman? I argue that such active consideration of care-work aims to send a symbolic message as compared to mathematical calculations.

Thus, considering the above needs, Courts should promote public goods while determining financial orders to recognise care-work and reduce vulnerability.

C. Demystifying the Magic of Care

While all of the above-mentioned benefits might appear to apply to financial orders, I argue that they are conditional on the model which has underpinned the adult relationship.

The first benefit is most prominent in a 'quasi-contractual model'[39] wherein care-work is provided on the notion of an interdependent relationship. The financial obligations represent the economic responsibilities owed towards a shared commitment.[40] Additionally, I contend that the second benefit is based on the understanding of an 'equal-partnership model'[41] wherein it is stated that financial orders are not means of 'taking away' assets from one spouse and 'giving it' to the other, but rather re-distributing the communion of marital property which has been jointly developed. A partnership model enables parties to jointly share both care-work and child-rearing duties to attain a common goal. Similarly, the third advantage in the cohabitation context would be fitting if the relationship is viewed as a 'compensatory model'.[42] Herein, parties must be compensated for the work done during the relationship and the disadvantages generated.

Thus, I showcase a direct correlation between the perspectives of the Court on the form of an adult relationship and the subsequent inclusion of varied forms of care while determining financial orders. I posit that a different model of the relationship is likely to evoke different reasons, objectives and even different variations of public goods themselves.

It is imperative to clarify that, *firstly*, the above linkage of the model of relationship to the concomitant benefit is extremely dynamic. These reasons can change depending on the contemporary shifts in the attitudes of the Courts. *Secondly*, while I have highlighted care-work as being dependent on the model of the relationship, I assert that care-work must be recognised for its inherent advantages. The intrinsic positive value of care-work, while unfortunately dependent on

[39] Milton C Regan, *Alone Together: Law and the Meanings of Marriage* (OUP 1999) 188.
[40] Anne Alsott, 'Private Tragedies? Family Law as Social Insurance' (2010) 4 Harvard Law and Policy Review 3.
[41] Herring (n 1) 215–217.
[42] Glennon (n 4) 187.

its institutional form, must be the beginning of a universal consideration of public goods vis-à-vis the ethics of care.

Overall, I argue that Courts should promote public goods when determining financial orders at the end of an adult relationship due to their potential in both recognising care-work and reducing vulnerabilities. In the next part, I evaluate the specific consideration of certain public goods.

D. From A General Theory to Specific Goods

The broad definition of 'public goods' has included concepts of fairness, equality, and autonomy. While these goods seem distinct, the primary good that has been judicially contested is 'equality' and broadly interpreted to include notions of fairness, sharing, and anti-discrimination.[43] Through this part, I explore the judicial responsibility of the Court to specifically promote equality in determining financial orders.

I contend that while the basic notion of equality vis-à-vis financial orders is that the parties have to be treated equally, several manifestations of equality make their inclusion complex. For illustration, imagine a straightforward case: a separating couple has some assets and children. Courts can design these orders in multiple ways (depicted through different cases below), which might seem to promote the rudimentary notion of equality, but investigating deeper reveals conditionalities.

Case I: The most basic understanding of equality dictates that the assets of the couple should be equally divided, and child support should be paid to the custodial parent.[44] I argue that such an understanding of equality is incorrect. *Firstly*, the division is solely based on the assets. Due to their gendered roles, a lot of women do not contribute assets but provide care-work.[45] Thus, an equality-driven order should include contributions of both the breadwinner and the homemaker.[46] *Secondly*, care-work accentuates vulnerabilities in the carer and perpetuates life-long consequences.[47] I argue that an order must concentrate on an equity-driven understanding of equality where care-work is provided much more significance, and financially translated. *Thirdly*, a 'compensatory' model of relationship would impact functional equality. I contend that compensatory equalisation would highlight the redundancy of asset division[48] and warrant adequate

[43] Herring (n 1) 210–214.
[44] *Hanlon v Law Society* (1980) 2 All ER 199 : 1981 AC 124 : (1980) 2 WLR 756.
[45] Parkinson (n 22) 2–3.
[46] Laura Kessler, 'Community Parenting' (2007) 24 Journal of Law and Policy 47.
[47] Herring (n 30).
[48] Miller (n 15), ¶129.

compensation that includes the loss of substantial earnings due to domestic responsibilities to be paid.

Case II: Equality might suggest that the assets brought into the relationship, i.e., the marital assets, would be equally divided and not all of the family assets would be re-distributed.[49] *Firstly*, such a demarcation would be discriminatory for lengthy relationships since assets would not only be brought in but also acquired, built-up, or made profitable due to the efforts of the 'shared partnership'.[50] Thus, in a way, a partnership model warrants a varied notion of equality. *Secondly*, within the cohabitation context, a common intention to beneficially share assets is required.[51] Women were not provided with properties for the longest time. Thus, equality ought not to divide 'common properties' on the partisan understanding of who got what in the relationship.[52] Sometimes, women might not have brought any assets but provided enough support in the creation of all assets.[53]

Thus, while equality would indicate that separated partners must be given opportunities to move ahead from the breakdown of a relationship and owe financial obligations to a limited extent, I argue that such an understanding is discriminatory as it wrongfully impacts women, specifically within long relationships and cohabitations.

Case III: Equality might guide that the spousal support should be based only on the children's needs and not by the requirements of the residential parent, since the other partner is an autonomous, independent adult who could look after themselves.[54] Eekelaar argues that there must be an 'equalisation of the standard of living' of the two households.[55] Such an equalisation, while having a beneficial outcome, only rewards the residential parent because of the care-work they will provide for the child.[56] I argue that the financial orders, while equating spousal support and child support, must not be dependent on the custodial parent being a child-carer. Rather, they must recognise caregiving labour for its own independent status.

Hence, it is showcased that the promotion of equality is dependent on two factors. *Firstly*, the institutional structural model of the relationship; and *secondly*, the presumption of dependency. The promotion of equality as a public good is

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[49] *Charman v Charman* 2007 EWCA Civ 503.
[50] Herring (n 1) 218.
[51] Stack (n 18).
[52] Garland (n 38).
[53] ibid.
[54] Deech (n 11).
[55] John Eekelaar, 'Equality and the Purpose of Maintenance' (1988) 15(2) Journal of Law and Society 197.
[56] John Eekelaar and Mavis Macelan, *Maintenance After Divorce* (Clarendon Press 1986).

restricted by these limitations. I argue that rather than the 'equality of outcome'(*which indicates a parity of outcomes*)[57] the Courts should re-direct themselves in promoting equality *albeit* in two different variations i.e., 'equality of opportunity' where parties are provided an opportunity to enhance their economic position;[58] and 'equality of condition' where parties should have conditions which are tailored and specific to their specific circumstances.[59]

Hence, the Courts should promote equality as a public good, *albeit* by excluding its self-drawn conditions and including the above-mentioned suggestions, while determining financial orders at the end of an adult relationship.

IV. The Normative Paradigm

In Parts II and III, I have highlighted the pressing need for the Courts to promote public goods through financial orders in order to achieve objectives such as recognising care, reducing vulnerabilities, and addressing the gendered dimension of family law by encouraging values of equality. However, as depicted in Part I, these orders are inherently incapable of doing. Thus, while there exists a strong reason for the Courts to judicially do so, I posit that it would be an ineffective solution unless these orders are internally reformed. I seek to provide a normative panacea to this malady.

I argue that the attainment of public goods should not be the ultimate objective, but careful consideration must be provided to the temporality of autonomy and its skewed linear nature. Financial orders conceptualise the 'legal subject' to transition seamlessly to an 'open future', unrestricted by the obligations arising from the marriage.[60] It can be counter-argued that such self-sufficiency is a facet of autonomy, and family law must actively provide for it. However, I contend that such an argument uncovers the hidden truth behind autonomy.

Family law, while providing for autonomy, has always believed time to be linearly progressing, i.e., to be unaffected by the changing conditions around them.[61] For instance, clean break financial orders and pre-nuptial agreements fix financial obligations in advance.[62] I juxtapose this foundation of family law with the temporality of the caregiver. The linear conception of time[63] , which is usually enforced by financial orders, fails to accommodate experiences of caregiving. The mere end of a relationship would not necessarily mean an end in caregiving, and

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57 William Letwin, *Against Equality: Readings on Economic and Social Policy* (1983) 45.

58 Eekelaar (n 55) 192.

59 Bryan S Turner, *Equality* (1986) 35–36.

60 Ellen Gordon-Bouvier, 'The Open Future: Analysing the Temporality of Autonomy in Family Law' (2020) 32(1) Child and Family Law Quarterly 77–81.

61 ibid 83.

62 *Radmacher v Granatino* (2010) 3 WLR 1367: 2010 UKSC 42.

63 Gordon-Bouvier (n 60) 79.

hence, financial orders must recognise the 'permanent' difficulties of women to transition and not necessarily 'coerce' them into self-sufficiency. Thus, it becomes imperative for Courts to recognise the cyclical burden of caregiving.

I contend that the 'achievement of autonomy' is an extremely high threshold for people going through the end of a relationship, and thus the Courts while promoting public goods through financial remedies should actively consider that, *first*, post-divorce support must not be viewed as the personal failure of one partner which prevents the other partner to move ahead in life; *second*, economic impacts of care within adult relationships have wider life-long consequences; and *third*, the harsh reality of parenthood and the burden of child-rearing is lopsided.

Hence, Courts should promote public goods when designing financial orders, along with simultaneously being internally intelligible and cognisant of the values these orders reflectively espouse.

V. Conclusion

In this paper, I have affirmed the unlikely potential of Courts being capable of promoting public goods and the orders being ineffective tools in doing so. However, irrespective of these structural infirmities, I have investigated the judicial need to promote these goods by using a cross-section of diverse theories of care and vulnerability. The nature of public goods is conditional on the institutional form of the adult relationship.

Moreover, I specifically consider manifestations of equality as a broad public good and showcase the applicability of a rudimentary notion of equality incapable of responding to contemporary harms. Apart from reforming the internal spheres as a normative answer, I deconstruct the temporal nature of autonomy, which is assumed to linearly progress. Hence, I agree that Courts should promote public goods while determining financial orders at the end of an adult relationship.