

Kevin Costner's estranged wife could 'be financially wiped out' — even with \$129,000 a month in child support

Christine Baumgartner will only receive child support from Kevin Costner for the next five years, and she could use up her \$1 million settlement on attorneys' fees, experts say



LOS ANGELES, CALIFORNIA – MAY 30: Kevin Costner (L) and Christine Baumgartner attend Paramount Network's "Yellowstone" Season 2 Premiere Party at Lombardi House on May 30, 2019 in Los Angeles, California. (Photo by Frazer Harrison/Getty Images for Paramount Network)

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To many people, it sounds like Kevin Costner's estranged wife Christine Baumgartner will be sitting pretty the rest of her life, now that a judge has agreed that the actor should temporarily pay her \$129,000 a month in child support as they await a final settlement in their divorce.

But not so fast, according to family law experts. Believe it or not, Baumgartner "could be financially wiped out" in the future, given a number of factors, one expert said.

These factors include the way child-custody and California divorce laws work, the strange reality of the Costner family's extravagant lifestyle, the vast power differential between the estranged spouses, and Baumgartner's aggressive, "extravagant" demands for money from her rich and powerful husband.

"It's a very dangerous game she's playing," said Christopher Melcher, a Los Angeles-based family law attorney who has worked with a number of high-profile clients. "She has a lot more to lose here than he does. However this turns out, Kevin will always be rich and he'll be fine."

Baumgartner, 49, reportedly "blindsided" the 68-year-old Costner by filing for divorce May 1 after 18 years of marriage. The couple has three children, ages 16, 14 and 13. Costner reportedly thought that he and Baumgartner were "super happy" together, and the star dreaded going through another divorce with children at home — after his costly 1994 split from first wife Cindy Silva.

Baumgartner was an unknown model before their marriage, and she had started a business designing couture handbags but said in court documents that she had “no personal income,” having chosen to be a stay-at-home mother to their three children, Us Weekly reported. Other reports said she has a net worth of around \$7 million that she earned through modeling and her handbag business, but that amount is decidedly less than Costner’s. The Academy Award-winning actor and director has an estimated net worth of \$250 million and earns around \$1.5 million a month from his film and TV projects, according to court documents.

In the latest development of this nasty celebrity divorce, the couple are now feuding over Costner’s alleged concerns that his estranged wife would take “too many pots and pans” as she moves out of their family home near Santa Barbara by July 31, Us Weekly reported. She has refuted his claims that she would “strip the house bare,” saying she’s only taken her personal belongings, including her Peloton bicycle and some “family heirlooms,” Us Weekly also said.

Earlier this month, Santa Barbara County Superior Court Judge Thomas Anderle ordered Costner to pay Baumgartner \$129,000 per month in child support — though only on a temporary basis, pending another hearing at a later date. That amount is more than twice what Costner was willing to pay but half the amount of \$248,000 per month that Baumgartner initially requested, Melcher said.

So far, the court’s rulings have generally been in Costner’s favor, notably the order that Baumgartner must abide by terms of a prenuptial agreement, signed before the couple’s 2004 marriage, and vacate the family’s \$145 million oceanfront home

in Carpinteria. The sprawling estate, which Costner purchased before their marriage, has always been in his name.

The prenuptial agreement has made Baumgartner's financial future potentially precarious in other ways, according to Melcher and other experts. It says that Baumgartner is to receive a \$1 million settlement in the event of a divorce. That amount sounds pretty generous but it wouldn't be much for anyone who is accustomed to living in an oceanfront estate in California and flying by private jet but who no longer has the income to support such luxuries.

Moreover, Baumgartner's attorneys have signaled that she plans to fight this amount — which could put her entire payout in jeopardy, People reported. The prenuptial agreement said that she could forfeit the \$1 million if she challenges this or any other provision of the agreement, People reported. As Baumgartner continues her legal challenges, she could otherwise wind up using a sizable portion of the \$1 million to pay her lawyers — especially if the court rules that her estranged husband isn't obligated to cover any of her court costs.

Meanwhile, Baumgartner can't count on income from the \$129,000-per-month child payments support forever, Melcher said. For one thing, the amount could change under a permanent ruling, though probably not by much, said Holly Davis, an Austin, Texas,-based family law attorney who also specializes in high-net-worth divorce cases. "It is more likely that if it were to be modified, it would be upward, based on additional needs of the family," Davis said.

Still, under California law, child support ends once a child turns

18 or graduates from high school, whichever comes later, Melcher said. As each of the couple's children turn 18, Baumgartner's monthly support is likely to decrease and end completely when the youngest reaches her majority, Davis said.

With Baumgartner knowing that the support payments will end in the future, "she is likely trying to get as much child support as she can each month," Davis said.

On the other hand, this money could still be "a trap" for Baumgartner, Melcher said. First off, she's not supposed to use any of that money to set aside in savings for herself. All of it is expected to be used to support the children, and in the lifestyle in which they've grown up, which has included nice clothes and vacations and the services of private chefs and other staff. Under the temporary order, Baumgartner must also share the costs for the children's health care, activities and sports.

Meanwhile, to justify receiving this amount, Baumgartner probably won't be motivated to be modest and spend only, say, \$10,000 or \$20,000 a month for rent, Melcher said. She may need to spend a lot more, because Costner and his attorneys are likely to expect that the bulk of \$129,000 be used for housing. If she's only spending \$10,000 a month on rent, Costner could argue she doesn't need so much in child support and that his monthly payment should be cut.

The temporary nature of the \$129,000-per-month amount also makes it a trap, Melcher said. If the judge's final ruling on child support is significantly less, he could make that order "retroactive," which means that Baumgartner might have to pay back the excess she received each month. That money might

have to come from her \$1 million settlement.

“If Christine doesn’t make good decisions and get good rulings, she could be financially wiped out,” Melcher said.

Melcher said he’s mystified by the decision by Baumgartner and her legal team to not settle the divorce amicably. In fighting back, Costner has been able to rely on the prenuptial agreement. It puts Baumgartner at a legal disadvantage, but the judge, thus far, seems inclined to uphold it.

In divorces involving high-profile figures, “oftentimes the early deals are the best deals,” Melcher said. A celebrity like Costner sometimes may be inclined to agree to a generous settlement with their estranged partner in order to avoid embarrassing personal information becoming public and damaging “the brand.”

Now, quite a bit of information about Costner’s extravagant spending has entered the public domain, and “everyone is talking about Kevin Costner’s divorce instead of Kevin Costner’s multi-part film series, ‘Horizon,’ that he’s making as we speak,” Melcher said.

Still, the damage to Costner’s “brand” may not be too extensive in the long run, Melcher said. Even though he “lost” on his demand to pay a lower amount in child support, he could be seen as “winning” by standing his ground making Baumgartner leave the family home, Melcher said.

The actor also has been able to convey in court records that he intends to generously support his children and remain an involved, hands-on father. In this context, Baumgartner’s

demand for \$248,000 came off as “greedy,” especially as Costner’s lawyers countered by suggesting that she could use the the money she receives to pay for her personal trainer, plastic surgery and credit card expenses, “without any explanation or basis,” as Us Weekly reported.

Davis suggested that the estranged spouses take this “very public feud private,” while Melcher said that the people being hurt most by this public bickering has been their children.

“It’s bad enough that the parents are getting a divorced,” Melcher said. “It’s very destabilizing for the kids to have this done publicly. It’s extraordinarily embarrassing for them. Santa Barbara is a small community.”