



## Legal Separation or Divorce: What's The Difference?

It's 2012 and you are making big changes in your life for you and your family. Louisville has been ranked in the top 10 for cities as one of the [most unhappiest cities](#) and with a high rate of divorce. Even with those statistics, there are alternatives to divorce.

One of the most heart wrenching decisions for any family is whether to dissolve a marriage or enter into a legal separation. While there are no advantages to the breakup of any family, there are some considerations that cause you to conclude that a legal separation may be best for you.

At [Denise Brown's Legal Direction](#), we provide balanced counsel that equips you with the information you need. As an [experienced divorce and family law attorney](#), providing you with these considerations puts you in touch with the information and resources you need before you make this important decision.

**Technically, the process is the same:** In Kentucky, the steps that you take to obtain a divorce or legal separation are exactly the same. The process begins with the filing of a Petition for Legal Separation or Petition for Dissolution of Marriage. Because the same issues have to be resolved in both, there is often no difference in the professional fees for the service.

**Legally, is there a difference:** Divorce finally and completely terminates the marital relationship and all obligations between the parties. Once divorced, the parties cannot carry one another on their health insurance, purchase new life insurance, file joint tax returns or receive spousal inheritance rights. Upon entry of the divorce decree that parties financial equity in the marital assets is final. Only an annulment of the divorce can restore the parties to the earlier position.



Legal separation separates the husband and wife financially AND also allows the parties to continue to experience the benefits of marriage such as:

- 👉 Allowing the opportunity for reconciliation
- 👉 Participating in marital counseling via family health insurance
- 👉 Providing health insurance to a dependent spouse
- 👉 Filing joint tax returns
- 👉 Qualify for Social Security based on length of the marriage
- 👉 Specifically determines custody, child support, and division of property matter if an agreement is provided to the court.

Practically, couples decide to separate from one another by voluntarily discontinuing intimate relations or living separately at two different locations. Please note that the parties agreeing to live separate is not the same as a court ordered legal separation.

If you are not legally separated, both parties continue to build marital interest in all assets and debts acquired during the marriage. No matter how long you have been separated. This is often an unwelcome surprise to couples that have lived separated, but never divorce.

Don't leave these matters to chance, if you are unsure as to which option will work for you and your family, contact Denise Brown's Legal Direction for a free consultation.

### [Family Law Videos](#)

For over 26 years, [Denise Brown's Legal Direction](#) has provided practical legal counsel in Louisville, KY on family matters including divorce, legal separation, custody, adoption, grandparent rights, child support and mediation. For a free consultation, contact us at 888-309-8985 or 502-587-0331. Web resources are available at [www.4realdirection.com](http://www.4realdirection.com). Follow us on twitter [@4realdirection](#) for family law news and information.