

INDIANA DIVORCE FACTS

When considering divorce it is important to have all of the facts. Divorce is a major decision that is disruptive to all those concerned. The laws governing divorce are different in every state and vary considerably. The following information is only a fraction of the information you may require to make an informed judgement and is not meant as a comprehensive list. Please consult a qualified Florida attorney before making any legal decisions.

- One spouse must live in Indiana for six months before qualifying to file a divorce.
- Indiana is a no-fault divorce state.
- The only requirement to getting a Indiana divorce is one spouse stating that the marriage is irretrievably broken and that the filing spouse meets the residency requirements.
- Divorce paperwork must be filed in either the county where the defendant resides or the county where the spouses last lived together prior to separating.
- You must wait for 60 days after filing before your case can move forward in the courts.
- An uncontested divorce means that the spouses agree on the division of marital property, alimony, and child custody, support, and visitation. The spouses sign a Marital Settlement Agreement and go to court for a quick hearing to finalize the divorce.
- Indiana follows a “one pot” theory for property division. All property regardless of when or how it was acquired is considered apart of the pot for division. The standard position for division is 50/50, but there are a few cases where the court will deviate from this amount.
- Alimony is called Maintenance in Indiana, and in most cases it is not provided to either spouse because of the “one pot” property division.
- Maintenance can be provided when one spouse is has a physical or mental disability, is caring for a disabled child of the marriage, or to provide training or education to the spouse so that they can provide for themselves.
- When the court decides on the issue of child custody and visitation, the gender of the parents is not considered. The judge must only consider what is in the best interests of the child. Indiana divorce law requires Shared Parental Responsibility. This means that even though the child may live with one parent, the other parent has equal say in raising the child. Each party must be consulted on the education, health, religion, and discipline of the child. If the parties cannot agree on these important issues, the judge will make the decisions for them.

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- There are approximately 100 divorces every hour in the United States (National Center for Health Statistics, http://www.cdc.gov/nchs/nvss/marriage_divorce_tables.htm)
- One third of all divorce filings in the United States in 2011 contained the word “Facebook” (ABC News <http://abcnews.go.com/Technology/facebook-relationship-status/story?id=16406245>)
- The world’s most expensive divorce was estimated at \$4.8 Billion (CNBC <http://www.cnbc.com/2014/12/29/The-worlds-most-expensive-divorce-settlements.html?slide=19>)
- Couples who live together before marriage have a higher divorce rate than those who wait.
- First marriages that end in divorce usually last 8 years.
- 75% of marriages that started with an affair with end in divorce (Hein, Holly. *Sexual Detours: Infidelity and Intimacy at the Crossroads*. 2000. New York, NY: St. Martin’s Press.)
- The average married couple spends only 4 minutes a day alone together (Harrar, Sari and Rita DeMaria. 2007. *The 7 Stages of Marriage: Laughter, Intimacy, and Passion*. Pleasantville, NY: Reader’s Digest Books.)
- The probability of a first marriage ending in divorce within 5 years is 20%, but those who cohabitate first is 49%. After 10 years the probability of divorce increases to 33%, but those who cohabitate increase to 62%. (Harrar, Sari and Rita DeMaria. 2007. *The 7 Stages of Marriage: Laughter, Intimacy, and Passion*. Pleasantville, NY: Reader’s Digest Books.)
- It is reported that the current economy is the biggest stressor on marriage in the past 60 years (Mannes, George. “Is the Economy Ruining Your Marriage?” CNN.com. August 21, 2009. Accessed: October 27, 2009.)
- In the United States, over 50% of first time marriages end in divorce, 67% of second time marriages, and nearly 74% of third marriages (Harrar, Sari and Rita DeMaria. 2007. *The 7 Stages of Marriage: Laughter, Intimacy, and Passion*. Pleasantville, NY: Reader’s Digest Books)
- Compared to singles, married couples accumulate about four times more savings and assets. Those who divorced had assets 77% lower than singles. (Harrar, Sari and Rita DeMaria. 2007. *The 7 Stages of Marriage: Laughter, Intimacy, and Passion*. Pleasantville, NY: Reader’s Digest Books.)
- Nearly 60% of married adults have had an affair (Harrar, Sari and Rita DeMaria. 2007. *The 7 Stages of Marriage: Laughter, Intimacy, and Passion*. Pleasantville, NY: Reader’s Digest Books.)
- Half of all emotional affairs become sexual affairs (Harrar, Sari and Rita DeMaria. 2007. *The 7 Stages of Marriage: Laughter, Intimacy, and Passion*. Pleasantville, NY: Reader’s Digest Books.)
- Over 40% of married couples in the United States include at least one spouse who has been married before. As many as 60% of divorcees will marry again, many within 5 years. (Harrar, Sari and Rita DeMaria. 2007. *The 7 Stages of Marriage: Laughter, Intimacy, and Passion*. Pleasantville, NY: Reader’s Digest Books.)
- People who have a commute of more than 45 minutes are 40% more likely to divorce (<http://www.samfak.umu.se/english/about-the-faculty/news/newsdetailpage/long-distance-commuters-get-divorced-more-often.cid160978>)
- A study has found that arguing about money is the top predictor of divorce (<http://www.k-state.edu/media/newsreleases/jul13/predictingdivorce71113.html>)