



# September 2022: Navigating Divorce



***“Only I can change my life. No one can do it for me.” –  
Carol Burnett***

Welcome to the **September 2022 edition of TotalWellbeing**, your guide to the **8 dimensions of wellbeing**. This month we set our sites on navigating divorce, a difficult but sometimes necessary situation.

Divorce can be a difficult decision and process to navigate. This is especially true when there are other members of the family, such as children, that are in the middle of the dynamic. For this reason, divorce should not be something that is primarily fueled by emotion and impulse. It is important to take a step back and be objective as you seek to minimize any negative impacts on the family/children. This can add stress to an already stressful process. Use the tips below to for help on what to keep an eye on and how to communicate this difficult time to young members of the family.

Please remember that your EAP is here for you if you need to address divorce, including financial and emotional issues that come with it. You have access to free and confidential counseling, legal and financial tools and coaching, trainings, unlimited work/life referrals to help find childcare resources, and more. Plus, an online resource library full of proactive self-help tools! Visit [PersonalAdvantage](#) for helpful articles, personal and professional development tools, and more!

To your total wellbeing,

The MINES Team

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## Divorce and Children: Helping Kids Deal with the Effects

Divorcing parents want to reduce the impact on their children, whether the children are young or already adults. The best way to do this is to recognize how the divorce is likely to affect your children, and then take steps to alleviate their pain and uncertainty.

### How Divorce Affects Children

Researchers have filled volumes studying and analyzing the effect of divorce on children. Studies examining the children of divorce have found that most suffer a sense of loss that can manifest in many different ways, depending on the children's ages and unique personalities, as well as on how parents handle the divorce themselves.

Younger children may regress in areas such as sleeping and toilet training, or throw more tantrums. School-age and teenage children may show symptoms of depression, rebel against discipline, or change their eating and sleeping habits.

Recent research has shown that adult children of divorce have higher divorce rates than adults with parents in stable marriages -- and even those who remain married report they have less trust for their spouses than people whose parents have remained married.

As a parent, you can take an active role in easing your children's pain and reducing negative feelings and behaviors.

To read the full article click [here](#).

Remember, if you or a household member need help around divorce or the many legal, financial, and emotional issues that can come with divorce, your employee assistance program is here for you. Resources include free and confidential counseling, legal consults, financial coaching, and more. **If you need additional information or to access services, please call MINES and Associates at 1-800-873-7138 today.** Also, [PersonalAdvantage](#) has a ton of great resources and FREE [webinars](#).

## *Separation vs. Divorce*

Many people are confused about what is meant by "separated" -- and it's no wonder, given that there are four different kinds of separations. However, how a couple is separated can have important effects on property ownership:

**Trial separation.** When a couple lives apart for a test period, to decide whether or not to separate permanently, it's called a trial separation.

Even if the spouses don't get back together, the assets they accumulate and debts they incur during the trial period are usually considered marital property. This type of separation is usually not legally recognized, but is instead a specific period in a couple's relationship.

**Living apart.** Spouses who no longer reside in the same dwelling are said to be living apart. In some states, living apart without intending to reunite changes the spouses' property rights. For example, some states consider property accumulated and debts incurred while living apart to be the separate property or debt of the person who accumulated or incurred it. In other states, property is joint unless and until a divorce complaint is filed in court. Also in some states, couples must live apart for a certain period of time before they are permitted to file for a no-fault divorce.

**Permanent separation.** When a couple decides to permanently split up, it's often called a permanent separation. It may follow a trial separation, or may begin immediately when the couple starts living apart. In most states, all assets received and most debts incurred after permanent separation are the separate property or responsibility of the spouse incurring them. However, debts that happen after separation and before divorce are usually joint debts if they are incurred for certain necessities, such as to provide for the children or maintain the marital home.

Again, a couple's decision to permanently separate may not be considered a legal one unless one party files for legal separation instead of divorce.

**Legal separation.** A legal separation results when the parties separate and a court rules on the division of property, alimony, child support, custody, and visitation -- but does not grant a divorce. This isn't very common, but there are situations where spouses don't want to divorce for religious, financial, or personal reasons, but do want the certainty of a court order that says they're separated and addresses all the same issues that would be decided in a divorce.

The money awarded for support of the spouse and children under these circumstances is often called separate maintenance (as opposed to alimony and child support). In some states, separate maintenance can be obtained with a motion pendente lite, or a motion "pending the litigation." Usually a lawyer files this motion. These motions set the tone for what may be awarded in a future divorce judgment.

***If you or a member of your household needs assistance or guidance on any of these wellbeing topics, please call MINES & Associates, your EAP, today for free, confidential, 24/7 assistance at 800.873.7138.***

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