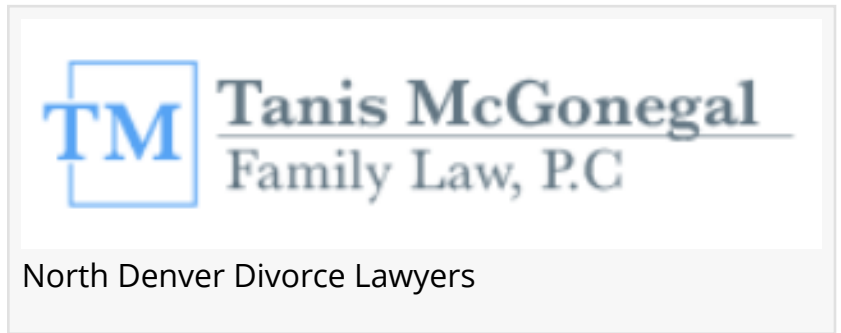


Colorado Divorce: Effect of Adultery on Alimony and Child Custody

North Denver Law Firm Experienced in These Situations

BROOMFIELD, COLORADO, UNITED STATES, December 21, 2022 /EINPresswire.com/ -- Tanis McGonegal Family Law Partners Michael McGonegal and Leonard D. Tanis are

lawyers serving the North Denver area and are very experienced in handling [divorce](#) cases involving adultery in Colorado. One of the biggest questions they receive is if a spouse's adultery has an effect on a judge's decisions about awarding [alimony](#) and child custody. The answer is maybe.



“

Adultery introduces complexity in Colorado divorce cases.”

Michael McGonegal, Colorado Divorce Lawyer

Colorado is a no-fault divorce state, which means couples do not have to show a specific reason for their divorce. In Colorado, a couple seeking a divorce only has to claim the marriage is irretrievably broken, meaning the relationship is so badly damaged it cannot be saved. According to Tanis, adultery is not a legally recognized reason for a Colorado divorce.

According to McGonegal, “While adultery is not part of the discussion regarding whether a divorce should be granted, it can affect property division in some divorce cases in Colorado. Not only is it important not to lose sight of the financial impact adultery has had on marital finances and property division, but it is crucial not to lose sight of the emotional impact of adultery. Regardless of the legal ramifications, it matters to people, and sticking our heads in the sand doesn't help resolve these cases in healthy and fair ways.”

One example of how marital [infidelity](#) may affect property division is if one spouse has used marital assets (such as money or property) to support an extramarital affair. A court may consider this when deciding how to divide the couple's assets as part of the divorce.

An example of how adultery may affect the awarding of alimony is if one spouse has incurred significant expenses as a result of an affair (such as travel or gifts). A court may consider this

when deciding whether to award alimony and, if so, how much.

When deciding how much alimony is appropriate, by statute Colorado judges consider several factors, including:

- the paying spouse's financial resources and ability to pay
- the receiving spouse's financial resources
- the couple's lifestyle during the marriage
- each spouse's education, earning capacity, and employability
- the length of the marriage
- each spouse's age and health, including special healthcare needs
- each spouse's non-monetary contributions to the marriage (such as childcare), and
- any other factor the court believes is relevant.

(Colo. Rev. Stat. § 14-10-114(3)(c) (2021).)

Another consideration in a Colorado divorce is alimony may be modified or terminated if the receiving spouse gets remarried, if the paying spouse becomes disabled or retires, or if there is a substantial and continuing change in the financial circumstances of either spouse, which makes the original award unfair.

In cases of adultery and child custody in a Colorado divorce, the court's primary concern in any child custody case is the best interests of the child. This means the court will consider a variety of factors when deciding custody, including the child's age, health, and relationships with each parent. The court will also consider each parent's ability to provide for the child's physical, emotional, and developmental needs.

In most cases, a parent's extramarital affair will not be considered when the court is making a custody decision. However, there may be certain circumstances in which the affair could be relevant to the custody determination. For example, if the affair has disrupted the parent's ability to care for the child, or if the other parent has had an affair with someone who poses a danger to the child, the court may consider these factors when deciding custody.

It's important to keep in mind each case is different, and the court will consider the specific circumstances of each case when making an alimony or custody determination.

Attorney Michael McGonegal said, "Adultery introduces complexity in Colorado divorce cases." He added, "It's very important that anyone affected by marital infidelity chooses a law firm that not only has experience handling these complex divorce cases, but is sensitive, kind, understanding, and available to attend to these complexities."

Attorney Leonard D. Tanis added, "Marital infidelity is a highly emotional time for the spouse who did not cheat, and for a spouse who has cheated." He went on to say, "It's very important to

choose an experienced law firm that will offer practical support and patiently guide you through the process of making the right decisions for you and your family.”

Tanis McGonegal Family Law is one of Denver’s most experienced law firms dealing with marital infidelity and adultery matters. Attorneys Leonard D. Tanis and Michael McGonegal have over 34 years of experience working with individuals considering divorce in cases of marital infidelity in the North Denver area. Their unique and sensitive approach focuses on providing patience and understanding during what is truly a very stressful and above-average emotional time, especially for victims of marital infidelity or for the spouse that has cheated. They take the necessary time to explain all of the details and options for consideration while guiding the affected spouse through the difficult process of divorce. The firm’s attorneys are accessible with extended hours, and they provide a level of personalized service that cannot be found working with a larger law firm. The mission of Tanis McGonegal Family Law is to bring about the best possible outcome for families impacted by marital infidelity when they choose to divorce.

If you have been the victim of a cheating husband or wife and you want to learn about divorce options or you have committed adultery and are facing a divorce, Tanis-McGonegal Family Law is the most experienced law firm dealing with those complex matters in the North Denver region.

Tanis McGonegal Family Law is dedicated to finding the best possible outcome for married couples, couples with children, and same-sex couples choosing divorce.

About Tanis McGonegal Family Law

Tanis McGonegal Family Law partners Leonard D. Tanis and Michael McGonegal specialize in helping spouses that have been affected by a cheating partner and are seeking a divorce. Their approach is unique from other divorce law firms because they listen and take the time to guide victims of marital infidelity through all of their options with the family’s best interests at heart and in mind at all times.

Tanis McGonegal Family Law’s experienced attorneys genuinely understand the northwest Denver area and the issues faced by families in those communities. They help dozens of local families with the unique challenges facing today’s modern family, such as child tax credits and other tax considerations in divorce, child custody rights, grandparents’ rights, LGBTQ+ family law issues, and other key factors that should be considered in ending a marriage.

Based in Broomfield and serving Boulder, Erie, Longmont, Louisville, Northglenn, Westminster, and the rest of the northwest Denver area, Tanis McGonegal Family Law is one of the highest-rated divorce law firms in Colorado. Tanis McGonegal Family Law assists clients with family law matters, child custody issues, adoption, high asset cases, property division, high conflict cases, civil protective orders, domestic violence, Colorado common law marriage, and post-divorce issues. They are also experienced Denver child support lawyers. In addition, the firm offers

preparation of prenuptial agreements.

If you have been affected by a cheating husband, a cheating wife, or are seeking a divorce for any other reason, contact Tanis McGonegal Family Law today for a free case evaluation at (303) 465-4605 or visit <https://broomfieldlaw.com/contact/>.

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