

## **“Get Me Out of Here!” by Susan A. Heinemann, Esquire**

One of the most difficult decisions you may make in life is that a marriage is over. Your pain could be compounded by the fact that you have minor children with your spouse and/or the two of you have created a complex financial life together with joint assets, such as a marital residence. Nonetheless, you may be tempted to bolt from the home and begin a new fabulous life as a singleton. On balance, isn't it better to raise children and/or live your life, either with or without a spouse, in a home without fighting? Recently, a new reality television show placed celebrities in a jungle; when they had enough, the celebrity would look into the screen, utter those words “I'm a celebrity, get me out of here” and be whisked away. Unfortunately, real life is not so easy. Before you take any action, you may want to understand the potential ramifications of leaving the marital residence.

As family law attorneys in Allegheny County, we counsel clients during a sit down office consultation about the potential impacts of leaving the home. For example, the other spouse might choose to file an action for child support or spousal support or perhaps, you could do the same, once you (or your spouse) leave the marital residence. Simply put, married people in Pennsylvania are liable for the support of the other. Additionally, parents are liable for the support of their unemancipated children who are 18 years old or younger. A family law attorney in PA can sit down with you, review the incomes of both parties, ascertain other relevant facts and give you an estimate as to the potential amount of support you may have to pay to the other spouse or that you may be entitled to receive from the other spouse before a change is made.

Additionally, a decision to leave the marital residence and where one decides to go may impact a potential custody order. A Pennsylvania Court considers what is in the child's best interest when crafting a custody order. I note often to clients, as a family law lawyer in PA, the Court may consider, as one factor, the location of both parents and where the child is enrolled in school. Logically, this makes sense as how can two parents share physical custody of a child if one parent lives far, far away from the other parent and where the child goes to school?

If you consult with a family law attorney in Pittsburgh or in another PA city, you may discuss the “how” to leave the residence. I have heard horror stories about one spouse coming home to an empty home and having all of the utilities turned off. “How” you decide to leave the home can set a positive or negative tone for the rest of your case. As a family law attorney in Allegheny County, I often discuss this with clients. It may be prudent to inquire with the utilities and other companies about their specific policies on taking names off of accounts and switching responsibility over to the other spouse before anything is done. Sometimes, as a family law attorney, I may also discuss with clients how to remove items from the home. A good family law attorney should speak with you first to find out if it is reasonable to talk about dividing up the items with the other spouse or if you just need to take what you need/want from the home.

Our law firm recognizes that every decision you make may impact multiple areas of your life and legal case. Luckily, we have extensive experience as family law attorneys in Allegheny County and other surrounding counties. After your initial free phone consultation, we may sit down with you to discuss in more detail the specific facts of your case and decide the best strategy for you to be able to move on with your life. Take a deep breath, learn as much as you can, and make your decision.

*Susan A. Heinemann, Esquire is an experienced family law attorney who practices in Allegheny County and surrounding areas. For a free phone consultation, contact (412)281-1988 to set up an appointment to speak with an attorney.*