

What Is the Difference Between Divorce and Legal Separation?

Though chances are strong you have heard of [legal separation](#) before, many Californians still do not understand the technical difference between legal separation and [divorce](#). The fact is that while these concepts might be similar, there are several key differences which couples considering either alternative should be aware of. Read on to discover what you need to know about the legal definition of divorce versus separation, and contact an Irvine divorce lawyer at Sullivan Law & Associates if you are seeking representation in either of these areas.

Legal Separation in California

In the state of California, a legal separation will permit a couple to divide assets and debts and lead separate lives without ending their marriage. Some couples choose to live together during a legal separation, though many do not. In California, filing for separation is fairly similar to filing for divorce. One party files a petition for legal separation, and the other party files a response, or the matter will continue by default. Each party must then proceed in exchanging mandatory disclosures and [dividing assets and debts](#). As is the case with divorce, issues like [custody](#), [support](#), and [visitation](#) may be on the table if the couple has children together. [Spousal support](#) may also be up for negotiation, depending on the specifics of the marriage. If the couple in question cannot agree on these issues, a judge will make a final determination for them.

Why File for Legal Separation?

- It can be a precursor to divorce: When a couple chooses to separate, the date the judge officially hands down their separation is generally the beginning of the end of their marriage. Securing a separation may allow a couple time to settle debt and asset faster, in addition to working out a custody and visitation agreements. Oftentimes, a separation also allows couples to determine what will be [community versus separate property](#), in preparation for the likely eventuality of a divorce.
- A couple may want to get back together: The fact is that although separation shares many of the same properties as divorce, legally, you will remain married during the course of a separation. This may give some couples time to work out their issues, should they decide to make an attempt to preserve their marriage and/or family unit.
- Tax/Benefits Reasons: There are obvious tax benefits to being married, though there are other benefits as well. Occasionally, a couple may work out an arrangement where both spouses can take advantage of each other's medical or social security benefits, regardless of the end of their romantic relationship.
- Religious Reasons: In some cases, a couple may be barred from getting a divorce because of their religion. In this instance, legal separation would be a legitimate alternative.

Call Sullivan Law & Associates Today

At [Sullivan Law & Associates](#), it does not matter to us whether you are going through a divorce or a legal separation. From divorce, to separation, to [paternity proceedings](#), to [retraining orders](#), our Irvine divorce attorneys are here to secure favorable results for you. We understand that family law matters

can be emotionally intense, which is why [our skilled legal team](#) is here to make the process easier. Call Sullivan Law & associates now, and begin the first day of the rest of your life.

To schedule a consultation dial (949) 565-2793, or [contact us online](#).