

Your Spouse Is Cheating...But Does It Matter In A MN Divorce?

Cheating and Divorce in Minnesota



Do You Need To Hire A Good P.I.?

With the popularity of TV and movies that show private investigators camping out with telephoto lenses or playing the seductress to catch a cheating husband it makes most people think that if you are or your spouse is cheating, it will have a significant impact on your case. It doesn't. Not at all. Really.

At least in Minnesota. it really doesn't make a lot of difference in the divorce case. I probably have to say this a good 4 or 5 times because clients generally don't like to hear this. They feel it's not fair and that if there is a divorce, through no fault of their own and they feel it's the other spouses fault then someone should pay! But, we are a no-fault state and according to [Minn. Stat. 518.06](#) there are no longer any defenses to a divorce. This means you don't need to prove anything, just one party raises their hand and says "I would like to be single again please." and the court will oblige. With the arrival of [marital property laws](#) in Minnesota the division is based not on who worked harder or was a better spouse during the marriage, but upon a fair and equitable division of assets (usually equal).

I've been divorcing people for well over a decade now and I have to say, I've heard my share of "Springer stories" that is cases involving all sorts of crazy infidelity. A few of the highlights:

- A wife had three different boyfriends while married less than one year.
- Engaging in group sex for well over 15 years in a small Minnesota town.
- A client who had got his girlfriend pregnant while married to another woman (actually this is fairly common...).
- A wife who would go to the bar and bring men home while her husband was sleeping.

And the Judge never heard about any of these. You see, the question about child custody in a divorce isn't really one about being a good person, instead it's focused on what the [best interest](#) of the kids is. So, aside from very rare cases involving abandoning the children in an unsafe environment to have an affair or spending all your money on the other woman (or man) generally, the vast majority of Minnesota divorce the issue of a cheating spouse isn't relevant to your case.

My personal thoughts on the matter? Well, personally I feel that you should not spend your emotional energy and your time trying to "catch your spouse". Simply decide, do you want to get divorced? If you do

then the issue of the affair is irrelevant. It is usually not a good idea to spend a great deal of energy and resources trying to catch your spouse just so that you can feel superior to him or her. Instead, take that time and money and work on moving on with your life, because better living is always the best revenge.

Below is fun Info graphic about cheating and spouses.



As always, any questions or comments feel free to call or email me at 507-625-5000.

Jason Kohlmeyer
Mankato, Minnesota
507-625-5000
www.RokoLaw.com