

Common Misconceptions Regarding the Divorce Process In Utah

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Unfortunately, misinformation and misconceptions are a normal part of life for people who are considering or undergoing a divorce. Between family members who think they know best, an internet full of information, and co-workers who have already gone through a divorce, which they feel is substantially similar, **there are plenty of ways incorrect information makes its way down the pipeline.** Our attorneys at the [Law Office of David Pedrazas](#) frequently receive inquiries from potential clients who feel they've already thoroughly researched their options and believe they have a firm grasp on what needs to happen next. While we certainly advocate our clients being engaged in the process, **the fact is that each divorce is unique,** and many people spend too much time working with incorrect information before they seek the assistance of a professional family law attorney.

Divorce Process: Fact or Fiction?

Fiction: The courts will not favor fathers during a child custody dispute.

Fact: The courts will weigh each parent evenly, based on a number of factors, to determine the best arrangement for the children.

Utah may have once been seen as a more biased, prejudicial state when it came to determining [custody arrangements](#), but today's courts are just as likely to favor a father in a case as they are to side with a mother. **The courts will consider which parent is the primary caretaker, which parent is more actively involved in the kids' lives and activities, and which parent seems more concerned with career advancement than family health,** among other things. Additionally, Utah courts will often invite kids to express their preference in terms of living situation around age 12 or 13.

Fiction: An award of minimum parent time always means every other weekend and one weekday evening.

Fact: There is no default custody schedule.

Parents may agree to any schedule that works best for the entire family when it comes to [parent time](#). **Some parents find it best to reevaluate their schedules when the seasons change**, dividing time up more evenly in the summer and giving one parent more time while school's in session, for example. Other considerations may include non-traditional work schedules, such as weekends or third shift hours.

Fiction: The courts can force a divorcing spouse to pay alimony.

Fact: In the state of Utah, there are no specific guidelines to govern spousal support.

The decision of whether or not to award [spousal support](#) is up to the judge, and **it's usually something that's taken into consideration if the parties were married for around seven years**. There is no set timeframe in which it can become an item for discussion, so couples who were married for less time may find themselves facing spousal support discussions.

Fiction: Spousal support, if awarded, will continue indefinitely.

Fact: Spousal support can be discontinued if any number of factors change from the time the judgment was originally handed down.

A number of factors may contribute to the **discontinuation of spousal support**, including the following:

- The paying spouse dies;
- The receiving spouse remarries;
- The paying spouse experiences a substantial change in income, such as a job loss.

Get Your Facts Straight with Proper Legal Council

If you've found yourself facing any of the aforementioned scenarios, or if you've begun researching other family and divorce related topics, **you should consider speaking with a family law attorney who can help separate fact from fiction as it relates to your unique case**. For over 15 years, the attorneys at the Law Office of David Pedrazas have been helping families understand the real meaning of the law as it relates to divorce, custody matters, and [other familial elements](#). We welcome you to [reach out to us here](#), or call us at 801-263-7078 when you're ready to speak to a professional about your case.