



cheating?

what is it worth?

In some cases, a wronged party may want to preserve and present evidence of the other spouse's extra-marital affair. What is the value of producing the text messages, videos, pictures and financial entries from credit card statements demonstrating the extra-marital affair to the court? In some instances, stepping outside the marriage may be costly.

the rabbaths

For Mr. Rabbath, the cost was \$383,551.83. Claude Rabbath, during a two-year period in the course of his 22-year marriage to Hala Farid, made several trips to visit his mistress, Nina, in Belarus. He lavished gifts upon her using marital assets and attempted to conceal his overseas income and overseas bank and credit card accounts at a cost of \$383,551.83. The court was provided evidence of Mr. Rabbath's sexually explicit e-mails and photos exchanged between he and Nina, whom he described as his "translator" and testimony from a forensic accountant demonstrating his misuse of marital assets.

the childers

Mrs. Childer's affair almost cost her half of the marital portion of her husband's pension benefits. Holly and William Childers were married for seven years. During the marriage, they lost a child

two months after birth and then had a second child. They stopped sharing the same bedroom and Holly had an affair that resulted in the birth of another child with another man. The court ruled that as a result of her marital misconduct, she was not entitled to alimony or the pension benefits acquired during the marriage. The appeals court later reversed the decision finding her conduct irrelevant and no dissipation of any marital assets.

"Dissipation" is when the offending spouse uses marital assets for his or her own benefit and for a purpose unrelated to the marriage at a time while the marriage is ending. If the offended party can show that the other party's adulterous affair resulted in a dissipation of the marital assets, the court can consider that in providing an unequal distribution of the assets and liabilities. Under the current law, the court may also consider adultery of either spouse in determining the amount of alimony, if any.

Florida is a no-fault state, which means adultery is not relevant to the divorce. However, there are instances where marital misconduct may be relevant, and the videos, text messages, receipts and credit card statements proving the adultery become invaluable.



Meet the Attorney

Amanda Salcido is an attorney practicing in family, juvenile, dependency, military & criminal law and United States Army JAG Corps. She takes a personal, hands-on approach in representing her clients.

Salcido Law Office
Call Amanda to schedule your free consultation.
480-299-9969
SalcidoLawOffice.com