

Fault Grounds Divorce Virginia Fairfax The Irving Law Firm Adultery Virginia is one of the states that still recognizes fault-based grounds for divorce in addition to the no-fault separation grounds that most divorces are filed under. The fault grounds recognized under Virginia Code section 20-91 include adultery, sodomy, buggery, cruelty, reasonable apprehension of bodily harm, desertion, and certain felony convictions with imprisonment. For some clients in Fairfax County, fault grounds are legally significant, and The Irving Law Firm advises clients on whether fault grounds are relevant to their specific case and how they might affect the outcome. Adultery is the fault ground most frequently raised in Fairfax County divorce proceedings, and it has specific legal consequences under Virginia law. A spouse found to have committed adultery is barred from receiving spousal support under Virginia Code section 20-107.1 unless denying support would be a manifest injustice under the circumstances. This makes proving or disproving adultery a significant strategic consideration in cases where spousal support is at issue. The Irving Law Firm advises clients on the evidence needed to establish or rebut adultery and on the strategic decision of whether to pursue fault grounds in a particular case. The decision to file on fault grounds versus no-fault grounds involves weighing the potential benefits against the additional cost, time, and emotional intensity that fault-based litigation involves. Fault grounds require proof, which means evidence, witnesses, and discovery. In some cases the strategic and financial benefits justify this investment; in others, the no-fault path is more efficient and produces an equally satisfactory outcome.

The Irving Law [criminal attorney](#) Firm - Fairfax Divorce Lawyers | 10505 Judicial Drive, Suite 300, Fairfax, VA 22030 | (571) 474-1990

The Irving Law Firm provides candid, case-specific advice about fault grounds rather than defaulting to a single approach. Understanding the actual legal significance of fault in a client's specific circumstances allows for the most effective strategy. Call (571) 474-1990 for a fault grounds divorce consultation. The Irving Law Firm, 10505 Judicial Drive, Suite 300, Fairfax, VA 22030.

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Fairfax, VA 22030**

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