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**WYOMISSING-READING-BERKS COUNTY DIVORCE ATTORNEY**

Attorney Jana R. Barnett, LLC regularly represents clients seeking a divorce, or involved in divorce proceedings.

Under Pennsylvania's Divorce Law, 23 Pa.C.S. § 3301, parties must have grounds (a legally valid reason) for seeking a divorce. The grounds for seeking a divorce may be categorized as "fault" or "no fault".

"Fault" exists where one spouse has:

- deserted the innocent spouse, without a reasonable cause for at least one year;
- committed adultery;
- endangered the life or health of the injured and innocent spouse by "cruel or barbarous treatment";
- knowingly entered into a bigamous marriage;
- been sentenced to prison for at least two years; or
- made the innocent and injured spouse's condition intolerable and life burdensome.

While successfully proving fault can be emotionally satisfying, it can be very expensive.

"No fault" grounds can be established by (1) the parties' consenting to the entry of a decree at least ninety (90) days after the Complaint in Divorce was filed; (2) the parties' having lived separate and apart for at least two (2) years and the marriage being irretrievably broken; or (3) a spouse's confinement in a mental institution for at least 18 months, and likely continued confinement for an additional 18 months following the commencement of the divorce action.

When the parties can agree that the marriage is over, they can focus their emotional and financial resources on resolving any economic claims.

Regardless of whether divorces are sought under the fault ground of indignities, mutual consent, or irretrievable breakdown, the court may require parties to undergo three (3) counseling sessions upon the request of one of the parties. The parties choose the person who will provide such counseling.

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Even where divorces are based on “no fault” grounds, marital misconduct may be considered when determining whether to award alimony.

To read statutes and related materials, please visit [www.janarbarnettesq.com](http://www.janarbarnettesq.com)

If you would like to speak with Attorney Jana R. Barnett about a divorce and learn how she can assist you, call her at 610-478-1860, or click here to send her an e-mail, and she will reply as quickly as possible.

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Attorney Jana R. Barnett’s offices are located at 525 Kenhorst Boulevard, Reading, PA 19611 and 1238 Cleveland Avenue, Wyomissing, PA 19610-2102. Attorney Jana R. Barnett practices family law, employment law, and employment discrimination law in Reading, Wyomissing and the surrounding cities and towns, as well as in Berks County, Bucks County, Chester County, Delaware County, Lancaster County, Lehigh County, Montgomery County, Northampton County, Philadelphia County and in the United States District Court for the Eastern District of Pennsylvania and the United States District Court for the Middle District of Pennsylvania.