

## When to Divorce When You Have Children

There isn't a perfect time to file for divorce. The best thing you can do for yourself and your children is to consider the specific circumstances surrounding your situation, and then act accordingly. This article is based upon the assumption that [domestic violence](#) or child abuse *are not* present in your family. If either scenario is present in your situation, your timing for divorce is likely immediate and it's best to reach out to us right away for help.

### Age & Maturity of your Children

Children at age 6 will deal very differently with divorce than children at age 16. The younger a child, the more difficult it can be for them to comprehend and understand the concept of divorce or why it's happening. They may not recognize conflict and the root causes that lead to this life event. Younger children also require more impactful, hands-on parenting, making the transition that divorce causes an increasing challenge. Each age group will have its own specific needs during the process. Older teens may hold resentment toward one or both parents, placing blame for causing a rift in the family dynamic. This resentment can manifest itself behaviorally, affecting their relationship with you, their performance in school, and as general defiance to authority. So, age and maturity levels are factors to keep in mind as you continue reading.

### Scenario A: You're the primary provider of your family from a financial standpoint.

The timing of proceeding with divorce in this case is easier to decide. For the most part, you won't have the large concern of your ability to provide the support of your children if you decide to proceed. On the other hand, you will need to consider your spouse's reaction [once they receive word of the filing](#). The important point to consider before you file:

1. Have a potential idea of [what your child support obligation may be](#)
2. With the children's best interest in mind, consider a reasonable amount of [custody and visitation time](#) (custody percentage) you desire and can realistically manage
3. The living situation after the divorce is underway. Will you remain at the family home with your wife and kids after you file, or will one of you move out immediately? If one of you will [move out](#), the timing of becomes critical when you have kids. If you move out and allow your spouse to have the custody of the children for a significant period of time, your ability to recover an equal custodial time with the kids may become more difficult

### Scenario B: You earn less than your spouse, or you're unemployed and take care of the kids.

Stay at home parents are still primarily made up of mothers, and divorce can be quite a challenge. For example, packing up and moving out with the kids may not be an option. If abuse is not an issue in your situation, the timing of the divorce may be best if you stay at the house and wait on moving out. In such a situation you should consider whether or not filing for divorce while you and your spouse continue to live together will be good option.

If your spouse has been abusive toward you or the children before you file for divorce, his or her emotional state may become significantly elevated once you do file. In such situations you should consider the need for immediate court orders with the help of a family law attorney. Abuse or not, when you file for divorce, you can proceed with a request for [court orders](#) – specifically child custody, child support, spousal support, and even attorney fees in anticipation of the move. In this regard, you can plan out your divorce in a way that you can obtain temporary custody, support, and fee orders before you pack up. This way, you are not placed in a tight financial situation when filing for divorce in the short term future.

The bottom line: There is no perfect time. When you have children, the decision as to when to file for divorce will never be ideal. Your specific situation is unique, and while there are many other couples who have also divorced with children, there isn't one ideal period or time that applies to everyone.