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- What is a Limited Divorce a/k/a Divorce From Bed & Board



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WHAT IS A LIMITED DIVORCE, ALSO KNOWN AS A DIVORCE FROM “BED AND BOARD”

A New Jersey “Bed and Board” Divorce (also known as a limited divorce) is extremely similar to a legal separation and often referred to as a judicial separation, separate maintenance, or its Latin name “*divorce a mensa et thoro*.” It is the closest thing that New Jersey has to what other states refer to as a legal separation.

Divorce from “Bed and Board” is a legal process in which both spouses of a marriage choose not to live together anymore. In New Jersey, couples can get a divorce from “Bed and Board” on the same grounds as a full divorce, however, regardless of the grounds, both parties must consent to the procedure.

As opposed to a divorce from the bonds of matrimony, a divorce from “Bed and Board” does not break the bonds of matrimony, thus neither spouse can remarry without taking the necessary steps to convert the divorce from “Bed and Board” into a final judgment of absolute divorce. Conversion of a “Bed and Board” divorce requires the filing of additional paperwork, and payment of court fees. If at some point, spouses decide that they would like to reconcile, they can simply request to have the “Bed and Board” divorce suspended (whereas, in the situation of an absolute divorce, this option is not available and the parties would have to remarry).

One reason why couples would seek a Divorce from “Bed and Board” is so that the legally separated spouses can continue to receive health insurance benefits from the other spouse’s employee health plan.

If you are interested in pursuing a limited divorce or divorce from “Bed and Board”, or have questions regarding the process, please contact **THE LAW OFFICES OF DAVID T. GARNES, LLC**