

Glossary

- **Alimony** – See “spousal support”.
- **Case Information Statement (CIS)** – A form that is filed in divorce proceedings. It contains information about the spouses and their children, income and expense information, and a balance sheet of family assets and liabilities.
- **Child support guidelines** – Guidelines issued by the state that are used by the courts in determining the amount of child support to be paid. The parties to a divorce do not have to follow the guidelines if good cause is shown.
- **Complaint** – The legal document filed with the court that starts a divorce action.
- **Contested divorce** – A divorce where one party contests or denies the grounds (basis) for the divorce or the terms such as spousal support being sought. Both fault and no-fault divorces can be contested.
- **Emancipation** – The age at which the parent or parents of a child are no longer financially responsible for the child. There is no set age for emancipation in New Jersey. Emancipation may occur upon a child reaching 18; upon the child's completion of secondary, college or post-graduate education; upon the child's entry into the armed forces; or upon the child's marriage.
- **Equitable distribution** – The division of the marital property of the couple. Generally, property that a person brings into the marriage, inherits, or receives by gift from a third party is not marital property.
- **Causes (grounds) for divorce**
 - Irreconcilable differences which have caused the breakdown of the marriage for a period of six months
 - 18 months separation in separate residences where parties have not engaged in sexual relations with one another during that period of time
 - Extreme mental or physical cruelty--3 month waiting period between last act complained of and filing of complaint for divorce
 - Adultery
 - Desertion--willful and continued desertion for a term of 12 or more months
 - Constructive desertion
 - Habitual drunkenness or drug habituation--12 or more consecutive months
 - Imprisonment--18 or more consecutive months
 - Institutionalization for mental illness--24 or more consecutive months
 - Deviant sexual behavior
- **Legal custody** – Legal custody usually takes two forms—joint legal or sole custody. Joint legal custody requires both parties to confer and agree upon major decisions concerning the child or children’s health, education, welfare and safety. Under sole custody, one parent can make those decisions alone.
- **Legal separation** – There is no legal separation in New Jersey. There is divorce from bed and board, which is the equivalent. Under this procedure, all of the issues normally resolved in a divorce are legally settled but the parties remain married.

- **No-fault divorce** – A divorce that is granted with no requirement to prove that one of the spouses was guilty of some marital misconduct. See “grounds for divorce” above.
- **Non-contested divorce** – A divorce where one party does not contest or deny the grounds (basis) for the divorce or the terms such as spousal support being sought. In a mediated divorce, one spouse may state a fault basis for the divorce but not contest the action because both parties have agreed in advance to all of the terms of the divorce.
- **Parenting time** – A term for visitation that more accurately describes the time spent with a child by a parent. See “visitation”.
- **PAR (parent of the alternative residence)** – A term used in shared parenting arrangements to designate the parent that has the child or children less than the majority of the time.
- **PPR (parent of the primary residence)** – A term used in shared parenting arrangements to designate the parent that has the child or children the majority of the time.
- **Physical custody** – There can be primary residential custody when one parent has the child or children for most of the time and shared residential custody when the child or children spend approximately equal time with each parent
- **QDRO** – A qualified domestic relations order. A court order that requires a portion of one spouse’s retirement benefits to be awarded to the other spouse. The order is directed to the administrator of a company’s retirement benefit plan.
- **Shared parenting** – When the parents have shared residential custody—see “physical custody”.
- **Spousal support** – or alimony—The payment by one spouse to a former spouse. There are four types in New Jersey: limited duration, open durational, rehabilitative, and compensatory.
- **Visitation** – The legal right of the non-custodial parent to spend time with his or her children. This term is being phased out by the legislature and courts in favor of the term “parenting time”.