

Divorce, Valentine Style

The Ex Files, Week of February 10, 2003

DIVORCE
MAGAZINE.COM
help for generation "ex"

Do more people consider divorce right after Valentine's Day?

By Jeffrey Cottrill

For years, there has been a common belief that February 15th -- or at least the first working day after Valentine's Day -- is the top day of the year for divorce initiations. The story has spread that there are more divorce filings, phone calls to marital lawyers, and people coming into lawyers' offices to inquire about divorce, than on any other day. Is it a fact or just another urban legend? Divorce Magazine asked several prominent divorce lawyers about this alleged "post-Valentine let-down" phenomenon.

One divorce lawyer who does get an inordinate number of calls after Valentine's Day is Bernard Rinella, whose Chicago-based firm, Rinella & Rinella, is recognized as one of the top family-law firms in the United States. "For some, Valentine's Day is supposed to be a big event," says Rinella. "When it turns out to be a flop, it's the last straw. So there is a tie-in to Valentine's Day, to a great degree."

However, some legal professionals haven't experienced the same connection. Houston lawyer J. Lindsey Short, Jr., past-president of the American Academy of Matrimonial Lawyers, says that his office has experienced no historical increase in divorce filings after Valentine's Day over the last 25 years. "It's a myth," Short says. "It probably got started as a joke about the high expectations couples have of their partners on this romantic day, coupled with the mediocre results of the day -- including choice of gift, choice of restaurant, choice of activity for the evening, and the aftermath."

According to Toronto lawyer Mike Cochrane, whose books include *Surviving Your Divorce* and *For Better or For Worse: The Canadian Guide to Marriage Contracts and Cohabitation Agreements* (John Wiley and Sons Canada), "It's an urban legend that should be given a quick death."

Stacy Phillips, who practices family law in Los Angeles, also has never seen any significant increase in calls or filings right after Valentine's Day. "It's easy to track: just look at how many filings there are at the time," she says. But she has experienced regular fluctuations at other times of the year. "For example, some people don't want to initiate a divorce over Christmas or at the end of a school year, so they wait until the holidays are over."

New York lawyer Susan Kunstler also experiences more calls after Christmas than at any other time -- and no apparent difference following Valentine's Day. "People hope that going through the holidays will reunite a disintegrating family, but instead it reveals to them that the disintegration has reached such a stage that it's time to get a divorce," Kunstler explains. "It's supported by psychological studies that the holidays are the most stressful time of the year, for families as well as individuals."

Rinella also says that he gets more calls post-Christmas than other time of the year -- even more than after Valentine's Day. "Usually it happens after any major holiday, particularly after Christmas and Easter, which are a prime time for filing. For the sake of the kids, people wait until after the holiday."

So where did the idea come from about post-Valentine's Day being the top time for divorce? Like Short, Kunstler feels that it's just a fiction that seems amusing to some. "It's an attractive-sounding myth, and people passed it along until it acquired a life of its own." Yet Kunstler has never heard about a post-Valentine divorce increase from her legal colleagues, although they have pointed out a post-Christmas connection.

Whether or not Valentine disappointments really do have any effect on most couples' decisions to split up, it's clear that a long-term relationship needs a lot of work to sustain. Valentine's Day isn't the only time to show your love and appreciation to your partner; if you can make every day a Valentine's Day in some way, you can avoid a lot of unhappiness on his or her part and keep your bond strong.

At the same time, you shouldn't let all your partner's mistakes cause you to overreact. "While relationship expectations can be unrealistically high on Valentine's Day, divorce should be the last thing on anyone's mind," says Cochrane. "Even for a relationship in trouble, Valentine's Day is an excellent opportunity to pause and reflect on the feelings that led to the marriage. Don't ever think about divorce until you can honestly say that you've exhausted all other attempts to work it out."