**Will I Lose Spousal Support if I Remarry?**

When a couple divorces, one party to the marriage may be awarded spousal support, also called spousal maintenance or alimony. This type of support is designed to help a party who was financially dependent on the other in a marriage maintain their quality of life, typically up until the point that they are able to obtain the education or training necessary to secure their own job and income.

That being said, there are a number of things that can result in the early termination of spousal support - remarrying is one of them.

**Spousal Support and Remarriage in Illinois**

As found in [750 ILCS 5/510(c)](http://www.ilga.gov/legislation/ilcs/documents/075000050k510.htm), spousal support may be terminated when a party receiving support merely *cohabits* with another party; marriage is not necessary in order for support to be terminated. Indeed, the specific statute reads that support will end when the party receiving support remarries, or when that person “cohabits with another person on a resident, continuing conjugal basis.”

**How Is Cohabitation Decided?**

What exactly defines cohabitation has been something that Illinois’ courts have looked at time and time again. Indeed, a person who is in a relationship with someone who spends the night from time to time may argue that they are *not* cohabiting, while a maintenance-paying spouse may state the contrary, feeling as though they are paying to support the relationship.

In order to develop a standard for determining when maintenance should be terminated based on cohabitation, [Illinois courts typically consider the following six factors](http://repository.jmls.edu/cgi/viewcontent.cgi?article=1136&context=lawreview):

* How long has the relationship lasted?
* How much time does the couple spend together?
* What is the nature of the activities that the couple engages in together?
* What is the interrelationship of the couple’s personal affairs (i.e. does the couple share money?)?
* Does the couple vacation together?
* Does the couple spend holidays together?

While the above factors may all be consistent, there is no statewide consensus as to how much weight should be attributed to each factor. As such, a judge in one county may find that a couple who takes trips together and spends a large percentage of time together is merely in a relationship, whereas a judge in a different county may analyze the same couple and determine that they are indeed cohabiting, and therefore maintenance should be terminated.

**Working with an Experienced Spousal Maintenance Attorney**

At the law offices of Fay, Farrow & Associates, P.C., our [talented Illinois spousal maintenance attorneys](http://faylawfirm.com/contact-us/) have represented both maintenance-paying and maintenance-receiving spouses who are seeking to prove or disprove cohabitation, and understand the many factors that need to be considered in these legal arguments. If you are worried about losing spousal support, you should know that remarriage will *absolutely* result in the termination of support, and in some cases, cohabiting could result in the termination of support as well. For legal counsel as you navigate Illinois’ family laws and seek to terminate or retain a spousal maintenance award, contact our law firm. We have the legal knowledge and experience you’re looking for.