

# What We Know

## ARTICLES & INSIGHTS

### ABOUT THE AUTHOR



**Rose Stout** is a Board Certified Family Law Specialist by the North Carolina State Bar Board of Legal Specialization. She concentrates her practice in the area of domestic law and represents clients in all aspects of family law, including divorce, custody, equitable distribution, child support and alimony. Rose has extensive trial experience at the district court level and has spoken at family law seminars on various family law issues.

## Is my spouse cheating?

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Are you and your spouse out of sync? Do you just have this sixth sense that things are not right in your marriage? Does your spouse refuse to look at you “eyeball to eyeball;” refuse to let their phone out of their clutches; disappear on a regular basis without any information as to their whereabouts; or has their physical appearance drastically changed? Have you tried talking to your spouse about these changes, but your spouse vehemently denies anything is going on? If your spouse is cheating, what are the signs? I have been practicing family law for almost 30 years, and I have seen many things. Obviously, there are exceptions to every rule, but if and when I hear of the following occurrences in a marriage, my alarm goes up:

1. **Physical Appearance Drastically Changes:** A spouse completely transforms their hairstyle with perhaps a new color or haircut. A spouse hires a personal trainer or just starts working out at the gym nonstop; they buy a new wardrobe. You have to ask why? What’s the purpose?
2. **Keeping Secrets:** Many emotional affairs begin over the phone, especially cell phones. If your spouse stays on their phone constantly, sleeps with it under their pillow, for example, it is possible your spouse is doing something behind your back. Perhaps, he or she changed all of the computer/phone passwords and is not sharing the new passwords with you. Why the sudden need for privacy? You again have to ask what’s the purpose?
3. **“I Love you, but I’m not in Love with you.”** Wow, how many times have I heard clients or opposing parties say this? What does this even mean? How does this happen?
4. **Spending increasing time away from home.** Your spouse disappears for stretches of time and you have no clue of their whereabouts and you can’t get in touch with them. Again, what’s the purpose?
5. **“Oh, honey, we are just friends.”** Really? Your spouse starts spending increasing time emailing and texting, as well as face-to-face time, with someone other than you and defends his or her actions by saying “we are just friends.” Again, this is a red flag that requires investigation.
6. **Behavior that is simply out of the ordinary.** Your spouse stops calling you as often as before; or stops taking you out on those Saturday morning excursions for breakfast; or starts hiding receipts; or starts lying more frequently...even about the little things; or personal items from your home suddenly go missing. Again, what’s the reason behind these things?

Obviously, an isolated incidence of any single act mentioned above does not mean your spouse is having an affair. However, if there is an overall unexplained change in the dynamics of your relationship, then it is time for you to have a conversation with your spouse. Perhaps, your spouse is simply unhappy due to a lack of physical connectedness in the marriage? If that is the case, then by all means engage in counseling and work on the problems. However, if there is an affair going on, then that affair impacts the very core of marriage and has significant legal consequences.

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