

Fairfax Follows Nationwide "Gray Divorce" Trend

Divorces among Fairfax County residents older than 55 are on the rise, according to a law firm that has dubbed the trend "Gray Divorce."

According to a study of the most recent county divorce statistics by the Arlington law firm of Tully Rinckey PLLC, between 2007 and 2010, divorce rates for male and female residents 55 and older increased even though divorce rates for all younger age groups in the county declined or remained unchanged during the same period, with the exception of females between 20 and 34.

"Overall, Fairfax County is the divorce capital of Virginia, having the highest number of divorces by volume," said H. Eugene Oliver, a family and matrimonial lawyer at the firm.

According to Oliver, between 2007 and 2010 the overall number of divorces and annulments granted annually in the county declined by 5 percent. However, during the same period, the divorce rate for males 55 to 64 rose nearly 3 percent, from 9.1 percent to 11.8 percent. For males 65 and older, the divorce rate increased from 5.2 percent to 6.6 percent.

The divorce rates similarly rose for females in the same age groups, but the increases were by less than one percentage point, according to one-year Census Bureau estimates, Oliver said.

"The combination of financial pressures and cultural shifts are making people realize that they don't have to put up with an unhappy marriage — even if they are in or near retirement. The Gray Divorce trend is highlighting how there is never a point of no return," Oliver said. "There is no longer a stigma attached to divorce for this generation of aging Baby Boomers, and there is now a dating scene for seniors that didn't exist even 10 years ago."

William Harriman, 64, of Fairfax and his wife of 40 years, recently agreed to go their separate ways.

"Our children are out of college and we decided to pursue separate paths," he said. "We have developed very different interests over the years, and it was something we decided on together."

According to Oliver, senior divorce issues tend to be different from their younger counterparts. He says couples involved in Gray Divorces don't have to deal with custody issues because their children have grown up and moved out. Instead, the main issues in these divorces involve the distribution of retirement accounts and real property, health insurance coverage and spousal support.

"There are generally greater property assets," he said. "But if a couple has no minor children and have come to an amicable property agreement, they can bypass the one-year separation requirement deemed by Virginia code. They only will need to be separated for half that time, six months."

Between 1990 and 2009, the national divorce rate for Americans 50 and older more than

doubled, according to a study by the Institute for Population Research at Bowling Green State University.

The study, titled, "The Gray Divorce Revolution: Rising Divorce among Middle-aged and Older Adults, 1990-2009," found that more than 600,000 seniors 55 and older were divorced in 2009.

"That means one out of every four divorces that occurred that year was a Gray Divorce," Oliver said.