

This is one of the most common grounds for divorce in Mississippi, yet one of the toughest to prove. This ground allows a divorce where the defendant's habitual cruel or inhuman conduct has an adverse impact on the physical and/or mental health of the innocent spouse. To prove this ground a plaintiff must show: (a) conduct by the defendant that meets the test for cruelty; (b) a casual connection between the conduct and the physical or mental harm to the plaintiff; and, (c) corroborating evidence of the defendant's conduct and/or the impact on the spouse's mental or physical health.

- 'Under this ground, one act of the defendant may not be sufficient to warrant a divorce, while looking at defendant's conduct as a whole will support a divorce on the ground of habitual cruelty. Typically one or more incidents of severe physical violence will meet the standard of extreme cruelty, while evidence of an ongoing pattern of emotional abuse is required to support a grant of divorce on this ground. However, simple inability to live together as husband and wife is not cause for a divorce under this ground.'

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