

Pros and Cons of the 2010 Changes to NY Divorce Law

In October 2010, no-fault divorce became an option for New York couples seeking divorce. As a result, a Judgment of Divorce can be granted if one party states under oath that the marriage is irretrievably broken down and that both parties reached agreement with respect to child support, spousal support, and other divorce issues.

The new [no-fault divorce law](#) [\[CK1\]](#) levels the playing field for spouses with different earning power. The new attorney fee provision presumes that the moneyed spouse, or party earning more money, will pay the attorney fees of the non-moneyed spouse, as well as temporary alimony and child support under certain circumstances. This prevents a malevolent spouse with a higher income from exercising economic tyranny against the lower earning spouse.

But since the non-moneyed spouse now receives financial support throughout the divorce process, he or she has no financial incentive to push for dispute resolution. This prolonged battle harms the moneyed spouse financially.

Since the law took effect, divorce and family law attorney [Bryan L. Salamone](#) has filed up to five no-fault cases per week. But as an experienced divorce attorney, he believes the new law is inherently flawed, especially since the moneyed spouse is financially harmed regardless of whether the lower income spouse exploits the situation. Whatever your situation, Bryan L. Salamone knows how to fight to protect your rights and interests.

[\[CK1\]](#)http://www.nypost.com/p/news/local/ny_last_state_to_recognize_no_fault_mzWXGD1R94ZxX6c85MjOWI

Tagged: [divorce law](#), [family law](#), [no-fault divorce](#)

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