

Long Island Center for Divorce Mediation

Call 631-757-1553 for FREE First Session or email info@lidivorcemediation.com .

No-Fault Divorce

Irretrievable Breakdown in the Marriage as Grounds for Divorce in New York

In 2010, the New York state legislature amended the Domestic Relations (divorce) law to provide a way to divorce without one spouse needing to accuse the other or for one to admit that he or she is “at fault.”

According to Domestic Relations Law Sec. 170[7], amended in 2010, it is now possible to obtain a divorce so long as the Wife or the Husband states by Affidavit or under oath that the marital relationship has been irretrievably broken down for at least six months.

However, even if we now have in New York what is essentially “no fault” divorce, the Court cannot grant a divorce until all economic issues, child custody, and certain other issues, have been fully resolved. According to Domestic Relations Law Sec. 170(7) - “No judgment of divorce shall be granted under this subdivision unless and until the economic issues of equitable distribution of marital property, the payment or waiver of spousal support, the payment of child support, the payment of counsel and experts' fees and expenses as well as the custody and visitation with the infant children of the

marriage have been resolved by the parties, or determined by the court and incorporated into the judgment of divorce.”

Divorce Mediation is the perfect venue for resolving the issues in a divorce based on irretrievable breakdown of the marriage for at least six months. The financial issues and custody and parenting are precisely the issues that can best be resolved face to face with the help of a trained and experienced divorce mediator.

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Divorce Mediators



**Dr. Diane Kramer,
Mediator/Marriage Counselor/Family Therapist**



**Fredrick Klarer, Esq.
Mediator/Divorce Lawyer**
