



FAMILY MATTERS Q & A NEWSLETTER

The Law Firm of
**WISSELMAN,
HAROUNIAN &
ASSOCIATES, P.C.**
Established 1976

THE SMART DIVORCE: How Is It Possible to Save Money In New York Divorce Court?

Greetings to Mental Health Professionals:

We appreciate your participation in our annual Legal Workshops for Mental Health Professionals held at the Port Washington Yacht Club. Through the years, the goal of these workshops has been to provide an exchange of legal and mental health issues in the area of family and matrimonial law in order to create a better understanding of the Court process, and to help Mental Health Professionals assist patients who are experiencing marital problems, or contemplating litigation. At these workshops, we have asked attendees to tell us what additional information in the areas of family law would be helpful for counseling their patients. In response to these requests, we created the following Family Matters Q & A Newsletter. We hope this information will be useful for your needs. We look forward to continuing to receive questions from you that we can answer in future newsletters.

Law Partner [Jacqueline Harounian](#) has handled numerous divorce matters during the course of her career. In the following discussion, she outlines suggestions for couples to arrive at a divorce settlement where it is possible to have an affordable, reasonable, even amicable divorce settlement. Jackie refers to this as **The Smart Divorce**.
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New York State may be the most expensive place on the planet to get divorced. This can be attributed to New York being the only remaining state still requiring grounds for divorce**, or the fact that New York's custody laws seem to encourage litigation, or the fact that licenses and degrees are classified as marital assets, which promotes even more litigation. The Smart Divorce should be the goal for every couple facing the end of their marriage in the economic climate of today. In every net worth category and income level, families today are faced with declining home equity, shrinking 401k investments and depleting college savings. They are faced with job losses, loss of overtime income, and looming credit card debts. Just about everyone should be concerned about saving money and assets during a divorce.

There are some conditions necessary in order to have a successful **Smart Divorce**:

- The most important one is a commitment by both parties to give their full efforts to negotiate out of court settlement with the assistance of their attorneys. Litigation should never be an initial strategy, but a last resort. Grounds for divorce should be agreed to from the outset.
- Secondly, parties should devote their efforts to reaching a custody and visitation agreement which provides the least disruption to the children. Joint custody and joint parenting should be explored. With

As to financial issues, it is extremely important for parties to be realistic about their expectations, and to follow the advice of their attorneys. This includes being up front about assets and income, and producing necessary documentation in a timely manner. With fewer resources at their disposal and a gloomy economic forecast, personal lifestyle expenses such as vacations, private schools, private tutors and camps must be looked at carefully and with a view to compromise. It is important to realize that many issues related to the children, including support and visitation, are not written in stone, but may in fact be modified in Court after the divorce is settled, based upon a change of circumstances. An experienced attorney can guide you on issues which concern you. Regrettably, in some cases, an amicably settled divorce is simply not possible and litigation cannot be avoided. These include cases where there is abuse, domestic violence, mental illness, drug and alcohol issues, hidden assets or income, paternity issues, a family business, or separate property issues. It is also a challenge to settle a case when one party has completely unrealistic demands, anger, or a vindictive streak that gets in the way of negotiations.

** Currently, New York law requires that one spouse must claim and prove fault or responsibility for the failed marriage. However, on July 2, 2010, the New York State Assembly approved a "no fault" divorce law. This will enable litigants to obtain a quicker divorce (after 6 months and the resolution

most households having two working parents, shared parenting is often in the best interests of the children, and attorneys can help their clients create a customized schedule to meet the needs of the whole family.

of all financial issues, rather than having to provide a finding of fault, or requiring a separation agreement and one year living apart). For final passage, this bill must be signed by Governor Paterson, which he is expected to approve soon. For more information about legal options concerning divorce, click here: [divorce](#)

About Our Firm

Established on Long Island in 1976, [Wisselman, Harounian & Associates, P.C.](#) is a highly regarded litigation firm with a primary concentration in family and divorce law. Today we are ranked as one of the largest matrimonial law firms on Long Island. Each of our esteemed attorneys is recognized by the legal, mental health and medical communities for their lectures and published articles of family law matters. Furthermore, their reputation among their peers as legal rights advocates for mothers, fathers, grandparents and children is a testament to their skill, expertise and social conscience. Our practice serves all of the New York Metropolitan area, including Long Island, Nassau County, Suffolk County, Queens County, Manhattan, Brooklyn, Bronx, Staten Island, Westchester, and Rockland Counties. If you have any questions regarding a family law matter, don't hesitate to contact our law firm.

About the Author

The above article was written by [Jacqueline Harounian](#), partner at The Law Firm of Wisselman, Harounian & Associates, P.C., a Long Island matrimonial and family law firm. She adeptly handles all family and matrimonial litigation, and appears in Family and Supreme Court in New York City and Long Island. Jacqueline is committed to providing the highest quality representation, treating all her clients with respect, compassion, care and understanding, and guiding them towards a resolution that is in their best interest. If you have any questions or would like additional information, you can contact Ms. Harounian directly at jackie@lawjaw.com.
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