

Divorce

PRACTICE LEADER



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New York Divorce Lawyers

The divorce process can be very complex, especially when it involves high net-worth spouses and valuable assets. We take cases big and small and can help high-earning and working class spouses alike divide their assets and dissolve their marriage as smoothly as possible. A well-versed divorce attorney knows that obtaining a positive resolution to divorce generally requires striving for an amicable settlement but preparing for trial. In cases where reaching a settlement is not an option, our team will not hesitate to go to trial to defend a spouse's post-divorce interests.

At the matrimonial and family law firm of Abrams Fensterman, LLP, our New York divorce lawyers have the experience to navigate through complicated divorce cases and help you obtain an amicable and expeditious case resolution. Let our [family law attorneys](#) help you close this chapter of your life so you can begin a new one sooner rather than later.

What is Covered in a New York Divorce?

Several issues can and must be addressed in a NY divorce. For instance, assets must be identified so the divorce court can decide on matters involving the couple's marital estate. Matters involving children, such as [custody](#) and financial support, must also be decided by a family court judge. The court must also evaluate both spouses' need for and ability to provide spousal support payments. Fortunately, an attorney would be able to advocate for a spouse's needs during every part of a divorce case.

Asset Division

According to New York's equitable distribution laws, an asset is either marital property or separate property. Marital property is any asset obtained after the start of the marriage, and separate property is any asset owned prior to marriage or obtained via a gift or inheritance. If the parties to the divorce previously signed a [prenup or postnup agreement](#), their assets would be outlined in that marital contract.

Once all of the assets are identified, the next step is to value them. Our divorce attorneys will work with the necessary experts to assist in analyzing and valuing complex assets, such as business interests, real estate, retirement accounts, 401 (k) plans, pensions, and stocks and bonds. We address the value of professional degrees and licenses, as well as the value of closely-held businesses, including professional practices.

Divorce Between Parents

Any divorce issues involving the care and wellbeing of children must be decided by a divorce court judge and cannot be independently agreed upon by parents without court approval. This means parents must bring evidence of why they believe they are fit to provide a stable environment for their kids and why they believe their ex may not be fit to parent their children.

Similarly, a judge must decide on who will owe child support, and in what amount, in order to promote stability in the children's lives post-divorce. Parents can present evidence of their finances and income to prove their need for support payments, or illustrate their ability or inability to pay child support.

Post-Divorce Spousal Maintenance

Not every New York divorce case involves alimony payments, but some circumstances do necessitate an award of spousal support (also called spousal maintenance). The court generally awards spousal maintenance to ensure a spouse's standard of living is not drastically altered without their spouse's income post-divorce. It takes an experienced divorce lawyer to prove a spouse's need for alimony payments, so don't go to court without qualified legal representation.

Let Our New York Attorneys Help You in Your Divorce

While we certainly consider reaching a settlement with the opposition a high priority for the benefit of our clients, we understand that this is not always possible. In these cases, we have the ability and the experience to achieve success in the courtroom. Let our attorneys represent your interests during NY divorce proceedings.

For further information about how our New York divorce attorneys can help you, please [contact our law firm](#) on Long Island at [516-328-2300](#), in Brooklyn at [718-215-5300](#), White Plains at [914-607-7010](#), Rochester at [585-218-9999](#) or Albany at [518-535-9477](#) to schedule an initial consultation.