

New York Prenuptial & Postnuptial Attorneys



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Abrams Fensterman, LLP – Protecting Your Future with Customized Marital Agreements

Prenuptial and postnuptial agreements are marital contracts that define how New York spouses divide assets, debts, income, inheritance, and spousal maintenance. A prenup is signed before marriage; a postnup is signed after. Abrams Fensterman, LLP is a New York law firm that drafts enforceable prenups and postnups statewide. New York [Domestic Relations Law §236\(B\)\(3\)](#) requires these contracts to be written, notarized, voluntary, and supported by full financial disclosure.

Our experienced family law attorneys craft **customized, enforceable agreements** tailored to your unique circumstances, whether you're a medical professional, business owner, attorney, or someone entering a second marriage with children from a prior relationship. Our attorneys work across **Long Island, New York City (including Brooklyn), White Plains, Rochester, Albany**, and the greater New York metropolitan area.

Prenuptial Agreement – The Details

Under New York law (Domestic Relations Law §236(B)(3)), prenups are valid if they are:

- In writing and signed by both parties.
- Executed with the formality required for recording a deed (typically notarized and acknowledged).
- Entered voluntarily, with full and fair disclosure of all assets and liabilities.
- Not unconscionable or the result of fraud, duress, or undue influence.

Key provisions often include:

- Classification of separate vs. marital property.
- Division of assets and debts.
- Spousal maintenance (alimony).
- Inheritance and estate rights.
- Business ownership protections.
- Retirement accounts and investments.

Postnuptial Agreement – The Details

A **postnuptial agreement** is similar but executed **after marriage**. It can update or create new terms as life circumstances change—such as after having children, inheriting property, starting a business, or experiencing shifts in income or debt.

Postnups must also meet strict New York standards: full financial disclosure, voluntary execution, and fairness. Courts scrutinize them more closely due to the fiduciary duty spouses owe each other, so experienced legal drafting is essential.

Benefits of Prenuptial and Postnuptial Agreements

These agreements offer far more than just “divorce planning.” They promote transparency and peace of mind:

- **Asset Protection** — Safeguard premarital assets, family inheritances, business interests, and future earnings.
- **Debt Protection** — Prevent one spouse from being responsible for the other’s pre-existing or future debts.
- **Clarity for Blended Families** — Protect children from prior relationships while providing for your current spouse.
- **Reduced Conflict** — Minimize costly and emotional litigation by setting clear expectations upfront.
- **Estate Planning Alignment** — Coordinate with wills and trusts to ensure your wishes are honored.
- **Business Continuity** — Protect professional practices, partnerships, or family businesses from division.

Many couples view these agreements as a sign of open communication and mutual respect rather than distrust.

Our Approach to Preparing and Negotiating Agreements

We do **not** use generic templates. Every agreement is **custom-drafted** after in-depth consultations:

1. **Comprehensive Review** — We analyze your full financial picture, goals, and concerns.
2. **Client-Centered Goals** — Address specific needs like second marriages, high-net-worth assets, or professional practices.
3. **Negotiation Support** — Our attorneys skillfully negotiate terms when parties have differing views, ensuring fairness and enforceability.
4. **Robust Drafting** — Documents designed to withstand challenges in court, drawing on our firm’s strong track record in matrimonial law.

We regularly serve professionals in medicine, law, business, and finance who require sophisticated protections.

When Should You Consider a Prenup or Postnup?

- Before a first or second marriage, especially with significant assets or children.
- After marriage, following major life events (inheritance, business success, career changes).
- When there is a disparity in wealth, income, or debt.
- To clarify financial expectations and reduce future uncertainty.

Common Questions About Prenups and Postnups in New York (FAQs)

Are prenups enforceable in New York?

Yes, when properly executed with full disclosure and fairness. Courts uphold them unless they are unconscionable or procured through misconduct.

Can a postnup be challenged more easily than a prenup?

Courts may apply heightened scrutiny due to spousal fiduciary duties, but well-drafted agreements with independent counsel for each party hold up well.

Do I need my own attorney?

Strongly recommended. Independent legal representation helps ensure voluntariness and enforceability.

Can these agreements cover child custody or support?

Generally, no courts prioritize the best interests of the child and will not be bound by such provisions.

Why Choose Abrams Fensterman for Your Marital Agreement?

- **Tier 1 Best Law Firm® in Family Law**
- Deep experience in complex, high-stakes matrimonial matters.
- Personalized service across multiple New York locations.
- Commitment to agreements that are both protective and practical.

Contact Our Experienced New York Prenuptial & Postnuptial Agreement Lawyers Today

Don't leave your financial future to chance. Schedule a confidential consultation to discuss how a tailored prenuptial or postnuptial agreement can provide security for you and your loved ones.

Discover the full range of our family law services on our [Divorce, Matrimonial, and Family Law](#) page.

For further information about detailed approach to prenuptial and postnuptial agreements, 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.