Article Side
Abandonment Divorce Laws in New York Have Eliminated Blame and Inequality by Lessie Burnett

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Regardless of how long you have been married, often times you and your spouse may grow apart. Some couples are able to overcome this estrangement, while others make the decision to divorce. Regardless of your specific situation, if you have made the decision to divorce your spouse, you may want to consider speaking with an Albany attorney that could help you in your divorce case. There are many different laws in New York concerning collaborative issues, and an experienced Albany attorney will likely be able to assist in your understanding of your specific rights under those laws.

Some couples are able to agree on an uncontested divorce, and can simply go ahead with a very quick divorce, often with very little assistance and no argument. However, others cannot agree on a settlement with each other, and may need a collaborative law attorney to assist them. In years past, a divorce in New York required that both spouses agree to a common ground for a divorce. This could include Abandonment Divorce or constructive abandonment. Abandonment divorce is often defined as a married couple that has grown apart over the period of several years. If one individual left the marital home one year before filing an abandonment divorce without provocation, reason or consent, an abandonment divorce may be applicable. Grounds for abandonment can also involve one spouse moving away from the other, with one spouse refusing to move for an unjustified reason. The spouse that chooses to remain in the home can also be called the spouse who abandoned the marriage, simply by changing the locks on the doors when the other spouse left.

Often, they would agree on separation and a year would have to pass before the divorce decree would be passed in a court in New York. However, in 2010, collaborative law is changed in New York, which now allows couples to file for a no-fault divorce in New York. You can still file on the grounds abandonment, but it is not necessary for you and your spouse to agree on common ground to achieve a divorce. These changes have allowed either spouse the capacity to file for divorce under New York law without having to show specific grounds for divorce. This will allow for both spouses to stand on equal ground when it comes to the distribution of marital and separate property. Prior to 2010, the individual in the marriage that had more separate assets than the other would be able to file for divorce on nearly any type of grounds, using their assets as a pawn in the property distribution. However, these new laws have removed blame, making the distribution of property much fairer, although it is still subject to New York law. No-fault divorces and abandonment divorces are also now more easily accessible for either spouse, with a lower amount concern over the loss of marital and individual property. Despite the fact that these laws have made equitable distribution of property fairer, you still may want to consider discussing your options with an experienced Albany attorney.

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New York's laws have changed concerning a Abandonment Divorce, so you may want to check out this website to find out more.

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